

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH MUMBAI

ORIGINAL APPLICATION NO:375.2000

DATE OF DECISION: 24.1.2002

Smt. Shantabai Baban Andre Applicant.

Shri J.M. Tanpure Advocate for  
Applicant.

Verses

Union of India and others Respondents.

Shri R.R. Shetty Advocate for  
Respondents

CORAM

Hon'ble Shri S.L.Jain Member(J)

(1) To be referred to the Reporter or not? *No*

(2) Whether it needs to be circulated to *No*  
other Benches of the Tribunal?

(3) Library. *No*

*S.L.Jain*  
(S.L.Jain)  
Member(J)

NS

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO: 375/2000

THURSDAY the 24th day of JANUARY 2002.

CORAM: Hon'ble Shri S.L.Jain, Member (J)

Smt. Shantabai Baban Andre  
Residing at  
Nane, P.O. Kamshet  
Tal. Maval, Dist. Pune.

...Applicant

By Advocate Shri J.M.Tanpure

V/s

1. Union on India through  
The Secretary,  
Ministry of Railway,  
Rail Bhavan, New Delhi.
2. The Assistant Engineer (South)  
Concret Depot Foreman CFD  
Central Railway, Lonawala,  
Tal. Maval, Dist Pune.
3. The Chief Engineer  
Central Railway  
Chatrapati Shivaji Terminus  
Mumbai.

...Respondents.

By Advocate Shri R.R. Shetty.

ORDER(ORAL)

{Per S.L.Jain, Member (J)}

This is an application under Section 19 of the Administrative Tribunals Act 1985 for the declaration that the husband of applicant is entitled for monthly family pension from the date of his retirement till the date of his death and thereafter the applicant is entitled for family pension during her life time along with interest at 18% per annum.

*PLS -*

...2...

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2. The claim is contested by the respondents. During the pendency of the OA the respondents have passed the order dated 29.5.2001 which is placed on record by the learned counsel for the applicant. Perusal of the same makes it clear that the respondents have stated as under:

"However, you are eligible for the payment of Ex-gratia Pension from the date of death of your husband late Shri. Baban Nana Andre."

3. Keeping in view the said statement of the respondents the learned counsel for the applicant stated that this OA can be disposed of while the learned counsel for the respondents stated that the OA deserves to be dismissed.

4. Certainly the applicant is entitled to claim the family pension as stated by the respondents in their letter dated 29.5.2001 for which the Tribunal is not expressing any opinion on merits. The OA deserves to be dismissed with the observations that the respondents shall abide by their decision taken on 29.5.2001 in para 2 referred to above. No order as to costs.

*S.L. Jain*  
(S.L. Jain)  
Member(J)

NS

order made 24/4/2  
to Appellant, Respondent(s)  
on 7/2/24

*W*