

(4)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
CIRCUIT SITTING AT NAGPUR

O.A. NO: 516/92

199

T.A. NO: ---

DATE OF DECISION 19-1-1993

Smt. Shantabai Jagannath Ghodke  
Petitioner

Mr. R. G. Chitghare  
Advocate for the Petitioners

Versus

Union of India and another  
Respondent

Mr. P. S. Lambat  
Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. M. Y. Priolkar, Member(A)

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

mbm\*

MD

(M. Y. PRIOLKAR)  
M(A)

(5)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

CIRCUIT SITTING AT NAGPUR

O.A.516/92

Smt. Shantabai  
wd/o. Jagannath Ghodke,  
r/o. C/o. Shankar Kirana Stores,  
Motibagh, Ward No. 64,  
Nagpur.

.. Applicant

-versus-

1. The Union of India  
through  
General Manager,  
Central Railway,  
Bombay V.T.

2. Divisional Railway  
Manager,  
Central Railway,  
Nagpur.

.. Respondents

Coram: Hon'ble Mr. M. Y. Priolkar,  
Member(A)

Appearances:

1. Mr. R. G. Chitghare  
Advocate for the  
Applicant.
2. Mr. P. S. Lambat  
Advocate for the  
Respondents.

ORAL JUDGMENT:  
{Per M. Y. Priolkar, Member(A)}

Date: 19-1-1993

This is an application from a  
old widow whose husband was employed of the  
Railways but died in the year 1955 while  
working as Loco Khalasi at Amla. The Govt.  
of India Ministry of Personnel, Public  
Grievances and Pension had issued instructions  
on 13-6-88 granting ex-gratia pension to  
families of deceased CPF retirees w.s.f.  
1-1-1986. Admittedly the applicant is covered  
under the provisions of this OM of the  
Ministry of Personnel. She had submitted an  
application on 13-7-90 (Annexure III at Page 20)

giving the required details namely the date of death , the last place of employment of her deceased husband, the capacity in which he was working etc. She has also filed an affidavit subsequently giving further details.

2. The government instructions referred to above state that in cases where no records such as CPF Accounts Slip or retirement orders etc. are not available the applicant should produce either a succession certificate from the Court or Affidavit sworn before a Magistrate or affidavit of the claimant on a plain paper supported by any two documents which should be acceptable to the head of department/ sanctioning authority. The affidavit sworn before a Magistrate, a copy of which is annexed to this application (Annexure V), should therefore be adequate for the grant of ex-gratia payment sanctioned by the Ministry of Personnel.


3. In addition it is also stated that the son of the applicant has been appointed on compassionate ground in the Railways as a Commercial Clerk in the Nagpur Division. With all these details it should not have been difficult for the respondents to establish the identity of the deceased employee. It appears, however, that the application dt. 13-7-1990 for grant of ex-gratia <sup>payment</sup> pension of the applicant is still pending with the respondents. It is really surprising that even the claims of the old widows for ex-gratia payment should be dealt with

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by the respondents in such a leisurely fashion.

4. The respondents are directed to finalise the claim of the applicant for payment of ex-gratia payment within a period of eight weeks from today, in terms of the instructions contained in OM dt. 13-6-1988 from the Ministry of Personnel, Public Grievances & Pension. *OA is finally disposed of with this direction.* 6
5. No order as to costs.

MD

  
(M.Y. PRIOLKAR)  
Member(A)