

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 997/93

~~Transfer Application No~~

DATE OF DECISION: 23.9.04

Smt. Sojyabai Madhav Jadhav Petitioner

Shri V.G. Pashte Advocate for the Petitioner

Versus


Union of India and others. Respondent


Shri S.C. Dhawan Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri B.S. Hegde, Member (J)

The Hon'ble Shri

1. To be referred to the Reporter or not ? 
2. Whether it needs to be circulated to other Benches of the Tribunal ?


(B.S. Hegde)
Member (J)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No.997/93

Smt. Sojyabai Madhav Jadhav

... Applicant.

V/s.

Union of India through
General Manager
Central Railway
Bombay.

Chief Workshop Manager
S & T Workshop ,
Central Railway
Byculla, Bombay.

... Respondents.

CORAM: Hon'ble Shri B.S.Hegde, Member (J)

Appearance:

Shri V.G. Pashte, counsel
for the applicant.

Shri S.C. Dhawan, counsel
for the respondents.

ORAL JUDGEMENT

Dated: 23.9.94

[Per Shri B.S.Hegde, Member (J)]

The only prayer made in the application is that she is denied of ex-gratia payment of pension with effect from 1.1.86 with payment of arrears due in accordance with the judgement delivered by the Single Bench in O.A. 20/90 decided on 3.7.90 and other identical judgements. I find that in one judgement the applicant had completed 30 years of service and in other judgement the applicant had completed 28 years of service. In O.A. 721/92 decided on 20.12.93, the applicant has put in 28 years of service. In the circumstances the Tribunal held that the applicant is entitled to ex-gratia payment.

The learned counsel for the respondents Shri Dhawan draws my attention to the decision of the Division Bench of this Tribunal in OA 597/89 wherein the Tribunal has observed that the applicant's

husband had not completed 30 years qualifying service at the time of resignation, she is not entitled to ex-gratia payment in terms of the Office Memorandum dated 13.6.88. Therefore, the respondents submits that the Single Bench decision is no longer valid. In the instant case the applicant has resigned after putting in 23 years of service. In the circumstances, I am of the view, the decision rendered by the Division Bench is valid. Accordingly, the claim of the applicant is not valid, the same is rejected. O.A. is dismissed.


(B.S. Hegde)
Member (J)

NS