

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No: 688/94

Date of Decision: 13/7/98

Ms. Balbir K Sighat

Applicant.

Shri G.S. Walia

Advocate for  
Applicant.

Versus

Union of India & Ors.

Respondent(s)

Shri V.S. Masurkar

Advocate for  
Respondent(s)

CORAM:

Hon'ble Shri. Justice R.G. Vaidyanatha, Vice Chairman.

Hon'ble Shri. D.S. Bawaja, Member(A).

(1) To be referred to the Reporter or not? *✓*

(2) Whether it needs to be circulated to *✓*  
other Benches of the Tribunal?

abp.

*R.G. Vaidyanatha*  
(R.G. VAIDYANATHA)  
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GULESTAN BLDG. NO. 6, PRESCOT ROAD, 4TH FLR, FORT,  
MUMBAI - 400 001.

MISCELLANEOUS PETITION NO. 403/98.  
ORIGINAL APPLICATION NO. 688/94.

DATED THE 13TH DAY OF JULY, 1998.

CORAM : Hon'ble Shri Justice R.G. Vaidyanatha, Vice Chairman.  
Hon'ble Shri D.S. Bawaja, Member (A).

Ms. Balbir K Sighat,  
W/o. Late Sh. Amrik Singh Sighat,  
(C/o. Sh. G. S. Walia, Advocate,  
High Court, 16-Maharashtra  
Bhavan, Bora Masjid Street,  
Fort, Bombay - 400 001.)  
... Applicant.

By Advocate Shri G.S. Walia.

V/s.

1. Union of India through  
Secretary, Railway Board,  
Rail Bhavan, New Delhi-11.
2. General Manager,  
Western Railway,  
Churchgate,  
Bombay - 400 020.
3. Divisional Railway Manager,  
Western Railway,  
Varodara (Gujara).  
... Respondents.

By Advocate Shri V.S. Masurkar.

O R D E R

(Per Shri R.G. Vaidyanatha, Vice Chairman)

1. In this OA, the applicant has filed MP-403/98 for Early Hearing. After hearing both sides, MP-403/98 is allowed. By consent OA is taken up for final hearing. We have heard both the counsel.

Applicant is a widow of one Railway Employee Shri Amrik Singh Sighat. Applicant's husband retired from Railway service on 31/1/1983. He died on 6/6/1986. Applicant is getting Family Pension as per rules. Now complementary the grievance of the applicant is only with regard to / Railway Passes which was not granted to her in view of the Railway Board circular dated 30/6/1987 which gives the cut off date as 12/3/1987 for the purpose of post retirement

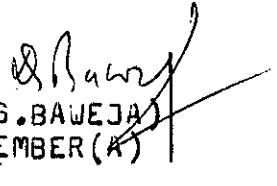


complementary passes to the widows. The applicant has therefore filed this OA challenging the legality of the cut off date in the Railway Board Circular dated 30/6/87. Respondents have filed reply opposing the OA. Now, when the matter is taken up for Final Hearing, it is recently now brought out that Railway Board has/issued a circular dated 24/4/98 in which the cut off date namely 12/3/87 is done away with. This new circular states that widows of Railway Servants even prior to 12/3/87 are entitled to the scheme of widow passes subject to certain conditions.

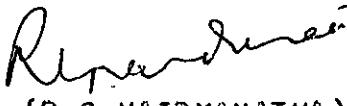
2. The Learned counsel for applicant submits that his client will fulfill the condition of/regarding payment of money etc, according to circular dated 24/4/98. In view of the latest development namely circular issued by the Railway Board dated 24/4/98, the OA has to be allowed. MP-403/98 is disposed of.

3. In the result, the OA is allowed. Respondents are directed to issue post retirement complementary passes in terms of Railway Board circular dated 24/4/98 subject to applicant submitting the necessary application and fulfilling the conditions of the said order.

The applicant shall make necessary application to Respondent No.3 for issuance of passes who will consider the same and pass appropriate orders and issue the passes as early as possible in view of circular dated 24/4/98. The OA is disposed of with no orders as to costs.

  
(D.S. BAWEJA)  
MEMBER (A)

abp.

  
(R.G. VAIDYANATHA)  
VICE CHAIRMAN