

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 1117/95

Transfer Application No.

Date of Decision 15.2.1996

Smt. T.B.Saravade

Petitioner/s

Shri G.S.Walia

Advocate for
the Petitioners

Versus

Union of India & Ors.

Respondent/s

Shri R.R.Shetty


Advocate for
the Respondents

CORAM :

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

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)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

OA.NO. 1117/95

Smt. Thakubai Bhima Saravade ... Applicant

V/S.

Union of India & Ors. ... Respondents

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

Appearance

Shri G.S.Walia
Advocate
for the Applicant

Shri R.R.Shetty
Advocate
for the Respondents


ORAL JUDGEMENT

Dated: 15.2.1996

(PER: B.S.Hegde, Member (J))


Heard Shri Walia for the applicant and
Shri Ravi Shetty for the respondents. After
admitted and
hearing both the counsels, the OA. can be disposed
of at the admission stage itself and the same is
disposed of accordingly.

2. The only question for consideration is whether
the widow of the deceased employee is entitled for
ex-gratia payment w.e.f. 1.1.1986. Learned counsel
for the applicant states that the husband of the
applicant was employed as a fitter in the Mechanical
Workshop, Central Railway, Parel, Bombay from 11.12.1929
till 7.8.1961, the date on which he resigned after
completing more than 30 years of qualifying service.



The employee was a C.P.F. optee and was given benefits as permissible. He died in the year 1981. The claim of the applicant for ex-gratia payment is on the basis of Govt. of India, Ministry of Personnel, Public Grievances & Pensions (Department of Pension & Pensioners' Welfare)'s O.M. dated 13.6.1988 which was conveyed by the letter dated 30.6.1988 by the Railway Board stating that these orders will apply to Railway employees governed by the State Railway Provident Fund Rules. In the O.M. dated 13.6.1988, it is stated that "the President is pleased to decide that the widows and dependent children of the deceased CPF beneficiaries who had retired from service prior to 1.1.1986 shall be granted ex gratia payment of Rs.150/-p.m. with effect from 1.1.1986 or from the date following the date of death of the deceased employee whichever is later."

In this connection, the learned counsel for the applicant draws my attention to the decision rendered by the Division Bench in OA.No. 20/90, Mrs. Evelyn Gracies vs. D.R.M. C.Rly, Bombay V.T. & Ors. decided on 3.7.1990. Similar facts are there in the present application. In the circumstances, we hereby direct the respondents to grant ex-gratia payment to the applicant w.e.f. 1.1.1986 within a period of three months from the receipt of a copy of this order. The OA. is disposed of with the above directions.


(B.S. HEGDE)
MEMBER (J)

mrj.