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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

O.A. No. 71 of 1997

Date of Decision:  
15th December, 1997

Between:

S. Lakshmi .. Applicant

1. Union of India, rep. by the General Manager, South Central Railway, Rail Nilayam, Secunderabad.
2. Senior Divisional Personnel Officer, South Central Railway, Secunderabad (BG) Division, Sanchalan Bhavan, Secunderabad.  
South Central Railway, Kazipet.

.. Respondents

Counsel for the Applicant: Mr. N. Raman,

Counsel for the Respondents: Mr. C.V. Malla Reddy

Coram:

THE HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.) *9/15/..*

ORDER

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.))

Heard Mr. N. Raman and Mr. C.V. Malla Reddy for the parties.

2. The applicant's husband, who was employed as casual mazdoor for a number of years under the respondents and attained temporary status in 1979, was duly subjected to medical examination for empanelment to the post of gangman and was found eligible and fit for the same. Accordingly, he was given the

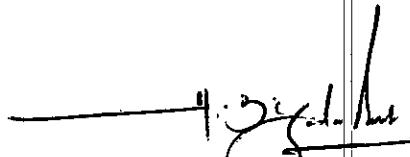
usual benefits of a Temporary Railway Servant. Screening was carried out in February, 1993, for his regularisation. He was again found fit and empanelled for regularisation. However, before his services could be regularised, the applicant's husband passed away in June, 1993.

3. The applicant herein claims family pension, gratuity and other post-demise benefits which, according to her, the deceased employee was entitled to.

4. The facts and circumstances of this case are not dissimilar to those contained in Civil Appeal No.4373-78/1997 disposed of by Hon'ble Supreme Court on 7th July, 1997 [(1997) 6 SCC P.580] wherein it was held that widows, who were the applicants in the said Civil Appeals, were not eligible for family pension. Under the circumstances it would not be possible to grant any relief to the applicant in this O.A.

5. It is mentioned by the counsel for the applicant, Mr. N. Raman, that the applicant, who is eking-out a miserable existence, burdened as she is with the responsibility of bringing up five minor children, would now like to apply for a suitable post to the Respondents on compassionate grounds. She may do so. If she submits such application, the same should be considered as per rules, and her own eligibility and fitness, under the provisions of the relevant scheme.

6. Thus the O.A. is disposed of in terms of the above observations.

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMN.)

Date: 15th December, 1997

Dictated in the open court

O.A.71/97.

To

1. The General Manager, Union of India,  
SC Rly, Railnilayam, Secunderabad.
2. The Senior Divisional Personnel Officer,  
SC Rly, Secunderabad (BG) Division,  
Sanchalan Bhavan, Secunderabad.
3. The Assistant Engineer(I)  
SC Rly, Kazipet.
4. One copy to Mr.N.Raman, Advocate, CAT.Hyd.
5. One copy to Mr.C.V.Malla Reddy, SC for Rlys, CAT.Hyd.
6. One copy to HHRP.M.(A) CAT.Hyd.
7. One copy to ~~DR~~(A) CAT.Hyd.
8. One spare copy.

pvm

30/12/97

I Court

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE

VICE-CHAIRMAN

AND

THE HON'BLE MR.H.RAJENDRA PRASAD:M(A)

DATED: 15-12-1997

ORDER/JUDGMENT:

M.A./R.A./C.A.No.

in

O.A.No. 71/95

T.A.No. -----

Admitted and Interim directions  
Issued.

Allowed

Disposed of with direction

Dismissed.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

