

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION-NO.242-of-1995

DATE-OF-ORDER:-14th-February,-1997

BETWEEN:

S.LAKSHMI

.. APPLICANT

AND

Union of India rep. by

1. The General Manager,
S.E.Railway, Calcutta-43,
2. The Divisional Railway Manager,
S.E.Railway, Visakhapatnam,
3. The Sr.Divisional Engineer,
S.E.Railway, Visakhapatnam.

..RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.Y.SUBRAHMANYAM

COUNSEL FOR THE RESPONDENTS: Mr.V.BHIMANNA, Addl.CGSC

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

HON'BLE SHRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Mr.Y.Subrahmanyam, learned counsel for the applicant and Mr. V.Bhimanna, ~~Mr.~~ learned standing counsel for the respondents.

2. The husband of the applicant in this OA was engaged as Casual Labourer with effect from 4.10.73 under the Permanent Way Inspector, South Eastern Railway,

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Dantiwara (MP) and served upto 15.12.79 when it is stated that he was screened, medically examined and declared fit for regularisation. It is not stated whether there was vacancy on that date after screening before his death for regularly appointing him as a regular Gangman. He died on 8.7.82 under the temporary status casual labour category.

3. This OA is filed praying for a direction to the respondents to grant her family pension and DCRG and consequential payment of arrears of pension etc.

4. The contentions and the prayer in this OA are same as the contentions and prayer raised in OA 1289/96 decided on 10.1.97. For the reasons stated in that OA this OA is also liable to be dismissed. Accordingly it is dismissed. However, this dismissal will not stand in the way of the applicant to file representation for regularisation of services of her husband and to grant her family pension taking recourse to rule 107 of Miscellaneous Chapter XII of the Railway Servants (Pension) Rules, 1993 as a measure of social justice. If such a representation is received, the respondents may consider the same in accordance with rules.

5. The OA is ordered accordingly. No order as to costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)
14/1/97


(R. RANGARJAN)
MEMBER (ADMN.)

DATED: -14th-February, -1997
Dictated in the open court.

1.3.1

O.A.NO.242/95

Copy to:

1. The General Manager, South Eastern Railway, Calcutta.
2. The Divisional Railway Manager, South Eastern Railway, Visakhapatnam.
- 3- The Senior Divisional Engineer, South Eastern Railway, Visakhapatnam.
4. One copy to Mr.Y.Subrahmanyam, Advocate, 45-58-7, Narasimhanagar, Visakhapatnam.
5. One copy to Mr.V.Bhimanna, Addl.CGSC, & SAT, Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One copy to Library, CAT, Hyderabad.
8. One duplicate copy.

YLKR

9/3/97
TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD

ALL JARI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:
M(J)

DATED:

14/2/97

Order/Judgement
R.P/C.P/M.A.NO.

In

O.A.NO. 242/95

ADMITTED AND INTERIM DIRECTIONS ISSUED.
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED ✓
DISMISSED AS WITHDRAWN
DISMISSED FOR DEFAULT
ORDERED/REJECTED
NO ORDER AS TO COSTS.

II COURT

YLKR

