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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL-APPLICATION-NO.253-of-1995

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

BETWEEN:

Smt.D.CHANDRAMMA

.. APPLICANT

AND

Union of India rep. by

1. The Chief Administrative Officer (Projects),  
S.E.Railway,  
Bhubaneswar (Orissa),
2. The Chief Project Manager,  
S.E.Railway, Visakhapatnam,
3. The Divisional Railway Manager,  
S.E.Railway, Bilaspur (MP),
4. The Divisional Railway Manager,  
S.E.Railway, Visakhapatnam.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr. Y.SUBRAHMANYAM

COUNSEL FOR THE RESPONDENTS: Mr.CV MALLA REDDY, 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.C.V.Malla Reddy, learned standing counsel for the respondents.

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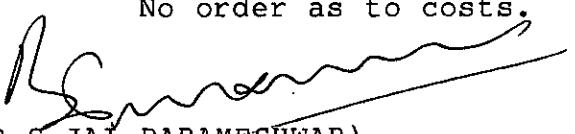
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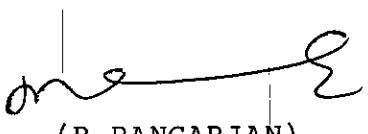
2. The husband of the applicant in this OA was engaged as Casual Khalasi under the Telecom Inspector (RE), S.E.Railway, Bilaspur with effect from 10.3.65. He attained temporary status and he appeared before the Screening Committee on 17.7.73 for empanelment as Class IV unskilled. He expired on 4.2.78. There is no material to show that after his empanelment, there was a post to absorb him as regular Class IV staff. In the absence of the same, it has to be inferred that he died while working as temporary status Khalasi.

3. This OA is filed praying for direction to the respondents to grant her family pension, DCRG and consequential payment of arrears of pension, Dearness relief 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 OA 1289/96, this OA is also liable to be dismissed and accordingly it is dismissed. However, this dismissal will not stand in the way of the applicant herein for filing a representation to the appropriate authority to grant her family pension taking recourse to Rule 107 of the Miscellaneous Chapter XII of the Railway Servants (Pension) Rules, 1993 as a measure of social justice. If such a representation is received, the authority may consider the same in accordance with the rules.

5. No order as to costs.

  
(B.S.JAI PARAMESHWAR)  
MEMBER (JUDL.)

  
(R.RANGARJAN)  
MEMBER (ADMN.)

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

3.3.1

0.A.NO.253/95

Copy to:

1. The Chief Administrative Officer(Projects),  
South Eastern Railway, Bhubaneswar, Orissa.
2. The Chief Project Manager, South Eastern Railway,  
Visakhapatnam.
3. The Divisional Railway Manager, South Eastern Railway,  
Bilaspur (MP).
4. The Divisional Railway Manager, South Eastern Railway,  
Visakhapatnam.
5. One copy to Mr.Y.Subrahmanyam, Advocate,  
DOOR NO.45-5877, Narasimhanagar, Visakhapatnam.
6. One copy to Mr.C.V.Malla Reddy, Addl.CGSC,  
CAT, Hyderabad.
7. One copy to D.R(A), CAT, Hyderabad.
8. One copy to Library,CAT, Hyderabad.
9. One duplicate copy.

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TYPED BY \_\_\_\_\_ CHECKED BY \_\_\_\_\_  
COMPIRED BY \_\_\_\_\_ APPROVED BY \_\_\_\_\_

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN: M(A)

AND

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

DATED: 14/2/87

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

im

O.A. NO. 253/85

COMMITTED AND INTERIM DIRECTIONS IS  
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

~~DISMISSED FOR DEFECT~~

ORDERED XREFECTED

NO ORDER IS TO C

THE BOSTONIAN

ILLINOIS

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