

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

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O.A. 1188/95.

Dt. of Decision : 30-07-96.

Smt. P.Vijayalakshmi

.. Applicant.

Vs

1. The Union of India, Rep. by the Secretary, Min.of Personnel & Public Grievances and Pension Dept. of Pension and Pensioners Welfare IV, 7th Floor, Nirvachan Sadan, Ashoka Road, New Delhi.
2. The Director General, ICAR, Krishi Bhavan, New Delhi.
3. The Director, National Malaria Eradication, Programme, Govt. of India, 22-Shammanth Marg, New Delhi-54.
4. The Project Officer, Central Research Institute for Dry Land Agriculture, Santoshnagar, Hyderabad.
5. The Secretary to the Govt.of India, Min.of Food and Agriculture, New Delhi.

.. Respondents.

Counsel for the Applicant : Mr. K.Venkateswara Rao

Counsel for the Respondents : Mr. N.R.Devaraj, Sr.CGSC.

CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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ORDER

Oral Order (Per Hon'ble Shri R.Rangarajan, Member (Admn.)

Heard Mr.K.Venkateswara Rao, learned counsel for the applicant and Mr.N.R.Devaraj, learned counsel for the respondents.

2. The applicant in this OA is the widow of late Mr.P.V.S.S.Prakasa Rao who died while working as Sr.Accountant, Pension Section under R-4. The husband of the applicant joined as Stenographer under R-5 on 24-08-1963 and he continued in that capacity till 19-01-1969. Thereafter he joined onceagain as Stenographer under R-3. That post he held from 20-01-1969 to 14-07-1971. He was appointed as Sr.Typist in Soil Conservation Research Demonstration and Training Centre, Ibrahimpatnam under R-4 w.e.f., 15-07-1971 and he died on 02-08-1986 while he was working under R-4. The applicant herein prayed for the pensionary benefits counting the services from 24-08-1963 to 14-07-1971 during which period ~~he~~ worked under R-5 and R-3. But that period was not counted and the pensionary benefits was granted to the applicant herein only for the period from 15-07-71 to 01-08-1986 when ~~he~~<sup>her late husband</sup> worked under R-4.

3. Aggrieved by the above, she has filed this OA for counting the services rendered by her late husband Mr.P.V.SS. Prakasa Rao from 24-08-1963 to 02-08-1986 with all consequential benefits.

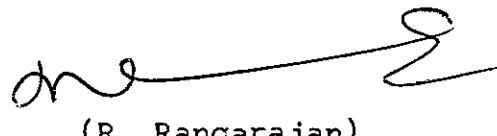
4. A reply dt. 18-06-96 has been filed by R-3 and a reply dt. 18-07-96 has been filed by R-4 also. Though R-3 refuses to consider that period for purpose of granting final pensionary benefits to the applicant, R-4 in his reply dt.18-7-96

has said that the question of considering the continuous service rendered by the late Mr.P.V.SS.Prakasa Rao from 24-08-1963 to 02-08-1986 for the purpose of computing revised death gratuity is under consideration by ICAR, New Delhi. It is further stated in the reply affidavit by R-4 that the applicant may be asked to wait for communication in this connection from ICAR, New Delhi.

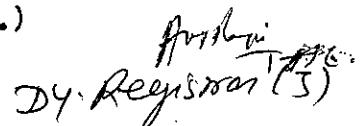
5. In view of the above submission of R-4, the OA can be disposed of by setting a time limit for disposal of the consideration of her case by ICAR, New Delhi and in case she is aggrieved by the out come of the case referred to ICAR, New Delhi she is at liberty to approach this Tribunal by filing a fresh OA impugning that order.

6. In the result, the following direction is given:-  
R-2 should dispose of the reference made to him by R-4 in terms of letter F.N: 7-7(A)/Estt. dated 11-07-1996 within a period of three months from the date of receipt of a copy of this order. If the decision to be taken by R-2 is going to be adverse to the applicant she is at liberty to file a fresh OA impugning that decision in accordance with the CAT Rules.

7. The OA is ordered accordingly. No costs.

  
(R. Rangarajan)  
Member(Admn.)

Dated : The 30th July 1996.  
(Dictated in Open Court)

  
Dy. Registrar (P)

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Copy to:-

1. The Secretary, Min. of Personnel & Public Grievances and Pension Dept. of Pension and Pensioners Welfare IV, Union of India, 7th floor, Nrivachan, Sadan, Ashoka road, New Delhi.
2. The Director General, ICAR, Krishi Bhavan, New Delhi.
3. The Director, National Lalaria Eradiction, Programme, Govt. of India, 22-Ghammanth Marg, New Delhi.
4. The Project Officer, Central Research Institute for Dry land Agriculture, Santoshnagar, Hyd.
5. The Secretary to the Govt. of India, Min. of Food and Agriculture, New Delhi.
6. One copy to Sri. K. Venkateswara Rao, advocate, CAT, Hyd.
7. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
8. One copy to Library, CAT, Hyd.
9. One spare copy.

Rsm/-

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DA 1188795

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COMPARED BY

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APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

DATED: 30/7/96

ORDER/JUDGEMENT  
O.A. NO./R.M./C.P. No.

O.A. NO.

1188795

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLKR

II COURT

No Space Copy

केन्द्रीय प्रशासनिक अधिकारण  
Central Administrative Tribunal

प्रेषण/DESPATCH

- 9 AUG 1996

हैदराबाद न्यायालय  
HYDERABAD BENCH