

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.814/99.Dt. of Decision : 12-10-99.

P.Radhamma

.. Applicant.

Vs

1. The Crew Controller/Asst.Loco Foreman,
SC Rly, Ramagunda, Karimnagar Dist.
2. The Chief Crew Controller/Loco Foreman,
SC Rly, Kazipet, Warangal Dist.
3. The Sr.Divl.Electrical Engineer,
TRSO/BG, Sanchalan Bhavan, Sec'bad.
4. The Asst. Electrical Engineer,
TRSO/BG, Sanchalan Bhavan, Sec'bad.
5. The Divl. Regional Manager,
Sanchalan Bhavan, Sec'bad.
6. The General Manager, SC Rly,
Rail Nilayam, Sec'bad.

.. Respondents.

Counsel for the applicant : Mr.N.Krishna Rao

Counsel for the respondents : Mr.V.Rajeswara Rao, Addl.CGSC

CORAM:-

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

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

ORDER

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

Heard Mr.B.S.A.Satyanarayana for Mr.N.Krishna Rao,
 learned counsel for the applicant and Mr.V.Rajeswara Rao, learned
 counsel for the respondents.

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2. This OA is filed praying for the following reliefs:-

(i) The action of the respondents in not considering the representations submitted by the applicant right from 27-7-95 as illegal, arbitrary and unconstitutional apart from being violative of the principles of natural justice and in not paying the post-death benefits of the applicant's husband, namely Mr.F.Ellaiah (E.No.1), Fireman 'A', by treating him as legally dead and in not appointing the son of the applicant, namely Mr.P.Nageshwar Rao, in any suitable post, on compassionate grounds as also illegal, arbitrary and unconstitutional apart from being violative of the principles of natural justice and against the judgement of the Hon'ble High Court of Andhra Pradesh reported in ALD 1996 (1), Page 304;

(ii) and consequently direct the respondents to pay the post death benefits such as Family Pension etc. of the husband of the applicant to the applicant and appoint her son Mr.P.Nageshwar Rao in any suitable post on compassionate grounds and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

3. Though this OA was not listed to-day both the sides agreed that this OA can be disposed of as the ~~prayer~~ ^{relief} had already been granted. ~~complied with~~. In view of the above the OA was called to-day and disposed of.

4. The learned counsel for the respondents produced a letter addressed to him by the respondent organisation vide letter No.CP/648/LAW/OA SR 1139/99/38 dated 20-09-99 (This letter is taken record). It is seen from the letter that the competent authority has reviewed the case of the applicant herein and has decided to annul the order of removal from service imposed on the husband

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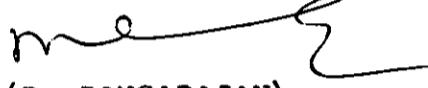
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of the applicant and passed orders accordingly on 17-08-99. It is also stated that the consequential family pensionary benefits that flow from the order dated 17-08-99 ^{would} ~~will~~ be arranged to the applicant in accordance with ^{the} rules.

5. In view of the above no further direction is necessary in this OA. The respondents should immediately arrange to pay the family pension benefits to the applicant within a period of two months from the date of receipt of a copy of this order.

6. The OA is disposed of. No costs.


(B.S.JAI PARAMESHWAR)
MEMBER (JUDL)
12/10/99


(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 12th October, 1999.
(Dictated in the Open Court)

SPR

1ST AND 2ND COURT

29/10/99

COPY TO :-

1. HONJ

2. HRRN M (A)

3. HBSJP M (J)

4. D.R. (A)

5. SPARE

6. ADVOCATE

7. STANDING COUNSEL

TYPED BY
COMPARED BY

CHECKED BY /
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR
VICE - CHAIRMAN

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

THE HON'BLE MR.S.S.JAI PARAMESWAR
MEMBER (JUDL.)

* * *

DATE OF ORDER: 29/10/99

RA/RA/CP.NS.

IN
CA. No. : 814/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP CLOSED

RA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED / REJECTED

NO ORDER AS TO COSTS

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