

19

In the Central Administrative Tribunal, Hyderabad Bench  
At Hyderabad

OA.1173/99

dt.12-8-99

Between

Smt. Indrani : Applicant

and

1. Postmaster  
Bangarupalyam Post Office  
Bangarupalyam  
Chittoor Dist.

2. Postmaster  
Palamaneru Post Office  
Chittoor Distr.

3. Sr. Supdt. of Post Offices  
Chittoor Division  
Chittoor : Respondents

Counsel for the applicant : V. Suryanarayana Sastry  
Advocate

Counsel for the respondents : V. Bhimanna  
CGSC

Coram

Hon. Mr. R. Rangarajan, Member(Admn.)

Hon. Mr. B.S. Jai Parameshwar, Member(Judl)

*Jai*

## Order

Oral order (per Hon. Mr. B.S. Jai Parameshwar, Member(J)

Heard Mr. Suryanarayana Sastry for the applicant and Mr: V. Bhimanna for the respondents.

1. The applicant is widow of one Chandre, an employee of the respondents. Her husband died in harness. She was granted family pension as per Pension Payment Order No. 2243. However, by order dated 20-6-98 (Annex-5) the said pension has been stopped.

2. The applicant has filed this OA to declare the action of the respondents in stopping the family pension vide impugned order No.AC/Pen/98 dated 20-6-1998, as illegal, improper, unjust, arbitrary and for a consequential direction to the respondents to continue to pay her family pension as directed by the Assistant Provident Fund Commissioner, Cuddapah, with all arrears and direct the first respondent to continue to pay family pension.

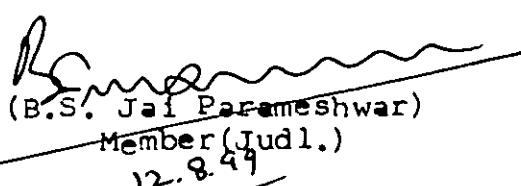
3. It is stated that the father of the applicant had submitted a complaint to the respondents authorities alleging remarriage of the applicant. The respondent authorities without issuing notice to her and without conducting any inquiry have stopped <sup>the</sup> family pension.

4. Atleast the respondent authorities before taking a decision to stop pension on the alleged remarriage of the applicant, should have made an enquiry into the genuinness or otherwise of the alleged complaint. Without doing anything and without issuing a notice to the applicant the decision taken by the respondents authorities by the impugned order dated 20-6-98 is not sustainable and violates all the principles of Natural justice. Hence, the impugned order is set aside. The respondents are

54

directed to continue payment of family pension from the date it was stopped till a proper enquiry is made asking the applicant to participate in that enquiry, and final order communicated to the applicant.

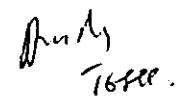
5. With the above direction the OA is disposed of.

  
(B.S. Jai Parameshwar)  
Member (Judl.)

12.8.99

  
(R. Rangarajan)  
Member (Admn.)

Dated : August 12, 99  
Dictated in Open Court

  
Anu  
T6400

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COPY TO:-

1. HDHO
2. HRRN M (A)
3. HBSJP M (J)
4. D.R. (A)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

1ST AND II nd COURT

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.B.S. JAI PARAMESHWAR  
MEMBER ( JUDL )

26/8/99

\*\*\*\*

ORDER DATE, 12/8/99

MAFRA/CP.NO  
IN  
DA.NO. 1173/99

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

D.A. CLOSED

(8 copies)

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

