

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

CP 49/2003 (CA 135/2003)

DATE OF ORDER: 21.1.2004

Smt. Usha Devi wife of Late Shri Chandu Lal aged about 38 years, working as Peon in the office of Divisional Rail Manager, North Western Railway, Jaipur. Resident of JS 10/A Railway Loco Colony, Jaipur.

.... Applicant

VERSUS

Shri R.M. Agarwal, General Manager, North Western Railway, Jaipur.

.... Respondents.

None present for the applicant.

Mr. U.D. Shama, Counsel for the respondents.

CORAM:

Hon'ble Mr. M.L. Chauhan, Member (Judicial)

Hon'ble Mr. A.K. Bhandari, Member (Administrative)

ORDER (ORAL)

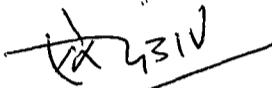
This Contempt Petition has been filed against the alleged violation of the order dated 3.4.2003 passed in CA No. 135/2003 whereby this Tribunal had disposed of the OA at the admission stage with the direction to the applicant to file a fresh representation to respondent No. 1 within fifteen days alongwith copy of the order. In that event, respondent No. 1 was directed to ensure that the family pension is granted to the applicant alongwith arrears within one month from the date of receipt of her representation, if the applicant is entitled as per rules. It was further observed that in case the applicant is not entitled for family pension as per rules, the respondents shall give a reasoned order within the said period enclosing copy of rules whereby the applicant is not entitled for the said family pension.

2. The notice of this Contempt Petition was issued to the respondent. The respondent has filed reply. In the reply, it has been stated that on receipt of the representation of the applicant, the relevant record were collected from the concerned offices and the entire matter was examined and on consideration of the case of the applicant for grant of family pension, it was found that she was not entitled for grant of family pension as Para 32 of the

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Railway Pension Rules, 1993. Subsequently, a detailed speaking order was passed by the respondents on 21.10.2003 which was conveyed by the Divisional Railway Manager, Jaipur to the applicant. Copy of the said order has been annexed as Annexure B-1. The applicant has received the same on 22.10.2003. The respondents have also tendered their sincere and unconditional apology for the delay which has occurred in the compliance of the order passed by this Hon'ble Tribunal.

3. In view of this, we are of the view that the order of the Tribunal dated 3.4.2003 has been complied with. Accordingly, the Contempt Petition is dismissed. Notice issued to the respondents are hereby discharged.

  
(A.K. BHANDARI)

MEMBER (A)

AHQ

  
(M.L. CHAUHAN)

MEMBER (J)