

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No.48 of 2003

Jabalpur, this the 3rd day of March, 2003.

Hon'ble Mrs. Shyama Dogra, Member (Judicial)

Malti Bai W/o Motilal,
Ex-Box Boy, P.F. No.7536150-NC, Durg.
R/o Near Mahendra Pan Bhandar, Pt.
Hanuman Mandir, Titrdih, Durg (C.G.)

-APPLICANT

(By Advocate- Mr. S. Ganguly)

versus

1. Union of India,
Ministry of Railway, New Delhi
through its Secretary.
2. The General Manager,
South Eastern Railway, Garden
Reach, Kolkata.
3. Divisional Railway Manager,
South Eastern Railway, Bilaspur.
4. The General Manager (personnel),
South Eastern Railway, Garden
Reach, Kolkata-43.

-RESPONDENTS

(By Advocate- Mr. M.N. Banerjee)

O R D E R (ORAL)

Signature

This Original Application has been preferred by the applicant for appointment of her son on compassionate grounds in place of her husband, who was compulsorily retired from service as Box Boy Loco w.e.f. 19.01.1998 vide Annexure A-1. The applicant's husband died in the same year on 13.12.1998.

2. After the death of her husband, the applicant approached before the respondents for grant of Provident Fund, Family Pension as well as other pensionary benefits along with a prayer for appointment on compassionate grounds for her son vide her Annexures A-5 and A-7. However,

the respondents kept silent on his representations and they
have not given any ^{reply} to the prayer of the applicant on these
issues so far.

3. It is further stated by the learned counsel for the applicant that an amount of Rs.36,201/- has been paid to the applicant as D.C.R.G. vide Annexure A-3, wherein it has been also informed to the applicant that deceased Motilal was not entitled for pension due to rendering less than 10 years qualifying service.

4. In reply, it is submitted by the learned counsel for the applicant that the applicant's husband was regularly working since 26.1.1981 and after appearing in the trade test and screening test, he was regularised w.e.f. 21.3.1986. He was compulsorily retired from service on 19.1.1998, hence he has completed more than 10 years service to qualify him for grant of pension and other pensionary benefits and on his death the applicant is entitled for family pension.

5. I have heard the counsel for the parties and am of the opinion that this O.A. can be disposed of at the admission stage in view of the fact that the representations of the applicant vide her Annexures A-5 and A-7 are still pending with the respondents, which have been filed on 09.05.2000 and 13.8.2001 respectively. In view of the fact, the respondents are directed to dispose of these representations of the applicant within a period of three months from the date of receipt of copy of this order by passing a speaking and reasoned order. If the contentions of the applicant find in favour of the applicant, necessary orders be passed while communicating the same to the applicant. The applicant is at liberty to supplement her claim by filing necessary and relevant documents before the authorities concerned, if she

S. J. Patel

so desired and the respondents are directed to look into those documents and pass an appropriate speaking and reasoned order as directed above within specified period. With these observations, this O.A. stands disposed of with no order as to costs.

Shyama Dogra
(Mrs. Shyama Dogra)
Member (J)

'MA'

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कृष्णकला सं ओ/न्या.....जल्लपुर, दि.....
प्रतिलिपि आवेदितः-

(1) रक्षिता विवाहित व्यक्ति एवं उनका जन्मस्थान
(2) उक्त व्यक्ति की उम्र एवं उक्त व्यक्ति की वर्तमान स्थान
(3) उक्त व्यक्ति की विवाहित व्यक्ति की वर्तमान स्थान
(4) उक्त व्यक्ति की विवाहित व्यक्ति की वर्तमान स्थान

M. Shyama Adde
13/3/2013 Adde
With art C-84.

Shyama Dogra
13/3/2013

Issued
Cm-5/3/03
BS