

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 13th day of April, 2006

ORIGINAL APPLICATION NO.304/2005

CORAM :

HON'BLE MR.M.L.CHAUHAN, MEMBER (J)

Smt. Manni Devi
w/o late Shri Nathu Lal Verma,
Peon in FA & CAO (Construction) Unit,
r/o Hasanpura 'A', Near Hanuman Sahai Neta,
Jaipur.

By Advocate : Shri Nand Kishore

... Applicant

Versus

1. Union of India
Through General Manager,
North Western Railway,
Hasanpura Road,
Jaipur.
2. Chief Works Manager,
Loco Workshop,
North Western Railway,
Ajmer.

By Advocate : Shri T.P.Sharma

... Respondents

ORDER

PER HON'BLE MR.M.L.CHAUHAN

The applicant has filed this OA thereby
praying for the following relief :

"i) The respondents may be directed by
issue of appropriate writ/direction for
arranging the payment of family pension
to the applicant w.e.f. 1.8.85, the date
of her husband expired with all
consequential benefits i.e. arrears as
due, interest @ 18% on the delayed
payment.

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ii) The respondents may be further directed to arrange payment of DCRG, leave encashment, amount of insurance and any other amount which becomes due in this case."

2. Notice of this OA was given to the respondents. The respondents have filed their reply. In the reply the respondents have stated that the family pension has already been sanctioned in favour of the applicant w.e.f. 1.12.2005 and the arrear of family pension from 2.8.85 to 30.11.2005 has already been sanctioned and paid to the applicant. It is further stated that the respondents have also released the payment. The respondents have stated that the delay in settlement of claim of the applicant was due to the fact that the settlement form was received on 15.12.2005 and accordingly the only arrears of the family pension from 2.8.85 to 30.11.2005, a sum of Rs.2,59,923/- (Rs.2,86,073/-) with DRCG of Rs.4788/- has been sent for sanction and on 20.12.2005 regular family pension has been started from 1.12.2005. The respondents have also attached photo-copy of the letters dated 8.12.2005 (Ann.R/1), 20.12.2005 (Ann.R/2), 21.12.2005 (Ann.R/3) & 27.12.2005 (Ann.R/4) to the reply. Though the respondents in para-3 of the reply have stated that the arrear of family pension has already been sanctioned and paid to the applicant but the learned counsel for the applicant submits that he has not received the arrear of family pension. In order to verify this fact, the matter was adjourned on 7.4.2006. Today, the learned counsel for the respondents submits that in fact the amount has not been paid to the applicant. He also submits that he has

received instructions whereby the direction has been given ~~by~~ the appropriate authority to make payment forthwith.

3. In view of what has been stated above, I am of the view that the present OA can be disposed of with a direction to the respondents to make payment of the dues of the applicant within a period of 15 days and in no case later than one month. In case the payment is not made within one month, this Tribunal can consider granting of interest to the applicant.

4. With these observations, this OA stands disposed of.


M.L. CHAUHAN)
MEMBER (J)