

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

O.A.No.469/2016

Ahmedabad, this the 21st day of February, 2018

Coram :

Hon'ble Dr. K.B.Suresh, Member (J)

Hon'ble Shri K.N.Shrivastava, Member (A)

Ushaben Rameshbhai
W/o. Rameshbhai
Aged 37 years,
R/o. Tekara Muval iya
AT : Muvalai 389 151,
Dahod. Applicant
(Advocate : Ms. S.S.Chaturvedi)

VERSUS

1. Union of India,
Notice to be served through
The General Manager
Western Railway,
Churchgate, Mumbai 400 020.
2. The Chief Works Manager
O/o. CWM, Western Railway,
Dahod 389 154.
3. Shri Dineshbhai B. Naiya
S/o. Babubhai Naiya
Sukhdevkaka, Harijanwas,
Dahod 389 151..... Respondents
(By Advocate : Shri M. J.Patel)

ORDER (ORAL)**Per : Hon'ble Dr. K.B. Suresh, Member (J)**

Heard. The matter relates to the family pension of a dependant daughter. Apparently, she was married earlier and thereafter divorced as per Section 13(b) of Hindu Marriage Act. Therefore, the situation comes back to the earlier situation. It would be as if she is not married and therefore, she is eligible for family pension as this position is dependent on the status as mentioned in *Paul Antony's* case. Thus, we declare that she is eligible for family pension on the basis of the rules in force, the OA is allowed and the respondents are directed to release the benefits due to her within three months from the date of receipt of a copy of this order. At this juncture, the learned counsel for the respondents points out that effect of the order will commence only from the date of concerned decree in the Family Court. This is a correct view. Therefore, we direct that the effect of the family pension will be commenced from the date of concerned decree in the Family Court. The OA is allowed to this extent.

(K.N.Shrivastava)
Member (A)

(K.B.Suresh)
Member(J)

