

ORAL

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH, ALLAHABAD

(This the 13th Day of **August**, 2018)

Hon'ble Mr. Gokul Chandra Pati, Member (Administrative)

Original Application No.330/1446/2011
(U/S 19, Administrative Tribunal Act, 1985)

Smt. Prabhawati Devi aged about 62 years, wife of late manbodh Singh Yadav resident of Village Murawar P.O. Mahpur, Distt. Ghazipur U.P.

..... **Applicant**

By Advocate: Shri Sri Kant

Versus

1. Union of India through Chairman cum Managing Director, Bharat Sanchar Nigam Limited, Harish Chandra Mathur lane, Janpad New Delhi – 110001.
2. Controller of Communication Accounts U.P. (W) Telephone Circle 3rd Floor, Dharampuri Telephone Exchange, Meerut – 250002.
3. Chief General Manager U.P. (West Telecom Circle) Shastri Nagar Telephone Exchange, Meerut.
4. The General Manager Telecom District, Bharat Sanchar Nigam Limited, C-T. Compound, Bareilly.

..... **Respondents**

By Advocate: Shri D.S. Shukla

ORDER

Heard Shri Sri Kant, counsel for the applicant and Shri D.S. Shukla, counsel for the respondents.

2. In this case unauthorized absence has been regularized as stated by the counsel for the respondents vide order dated 25.08.2010 vide Annexure A-1 to the Supplementary Counter Affidavit (in shot SCA) filed by the respondents. Further, Family Pension has been released in the year 2010 and other dues (DCRG, Arrear of Pension,

encashment of leave and CGEGIS saving fund) amounting to Rs.85544/- has also been released in favour of the applicant vide order dated 12.10.2012 (Annexure A-1 to the SCA) as stated by the respondents' counsel.

3. Counsel for the applicant submitted that other dues relating to commutation of pension, gratuity as well as arrears of pension and interest on delayed payment of family pension have not been given to the applicant by the respondents. He, further, stated that the applicant may be permitted to move a fresh representation to the respondents mentioning all the dues which are yet to be paid as on date.

4. In view of the prayer made by learned counsel for the applicant and in the interest of justice, no useful purpose will be served in keeping this O.A. pending. Hence, without commenting anything on the merits of the case, the applicant will have liberty to move a fresh representation along with a copy of this order before the respondent No.3/Competent Authority mentioning all the dues which are payable by the respondents within a period of three weeks from the date of receipt of a certified copy of this order and if the same representation is moved by the applicant, the respondent No.3/Competent Authority is directed to consider the claim of the applicant as per the rules and if the applicant is entitled for the same, the same shall be released in her favour within four months after obtaining approval from the Competent Authority as per the rules and if some of the dues are not

to be released as per the rules, the applicant shall be informed the reasons for the same.

5. The applicant may enclose a copy of the judgment of Hon'ble Allahabad High Court cited by the applicant's counsel at the time of hearing and also a copy of this order along with the said representation. The respondents are further directed to comply with this order within four months from the date of receipt of the representation from the applicant as stated above.

6. O.A. is disposed of accordingly. No costs.

(Gokul Chandra Pati)
Member (A)

Sushil