

# **Central Administrative Tribunal Principal Bench, New Delhi**

C.P.Nos.95/2015 & 307/2015

In

O.A.No.2117/2013

Thursday, this the 10<sup>th</sup> day of December, 2015

**Hon'ble Mr. A.K. Bhardwaj, Member (J)**  
**Hon'ble Mr. V.N. Gaur, Member (A)**

C.P.No.95/2015

1. Smt. Vijaya Kumari Sharma,  
W/o Late Shri Suresh Chand Sharma
2. Pankaj Kumar Sharma,  
S/o Late Suresh Chand Sharma
3. Sandip Kumar Sharma,  
S/o Late Suresh Chand Sharma
4. Sanjay Kumar Sharma  
S/o Late Suresh Chand Sharma
5. Savita Sharma,  
D/o Late Suresh Chand Sharma
6. Ritu Sharma  
D/o Late Suresh Chand Sharma,

All R/o H.No.894, Shiv Puri,  
Vijay Nagar Sector-9,  
Ghaziabad.

.. Applicants

(Mr. S K Chaudhary, Advocate)

Versus

1. Mr. Pradeep Kumar  
General Manager,  
Northern Railway, Headquarters Office,  
Baroda House, New Delhi.
2. Mr. A K Sachan  
Divisional Railway Manager,  
Northern Railway, DRM Office,  
State Entry Road, New Delhi.

..Respondents

(Mr. Kripa Shanker Prasad, Advocate for official respondents)  
Mr. H Chakarborty, Advocate for respondent No.3 in OA)

C.P.No.307/2015

1. Smt. Vijaya Kumari Sharma,  
W/o Late Shri Suresh Chand Sharma
2. Pankaj Kumar Sharma,  
S/o Late Suresh Chand Sharma
3. Sandip Kumar Sharma,  
S/o Late Suresh Chand Sharma
4. Sanjay Kumar Sharma  
S/o Late Suresh Chand Sharma
5. Savita Sharma,  
D/o Late Suresh Chand Sharma
6. Ritu Sharma  
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(Mr. Kripa Shanker Prasad, Advocate for official respondents)  
Mr. H Chakarborty, Advocate for respondent No.3 in OA)

### **O R D E R (ORAL)**

**Mr. A.K. Bhardwaj:**

O.A. No.2117/2013 was disposed of by this Tribunal in terms of Order dated 25.04.2014. Paragraph 4 of the Order reads thus:-

“4. In view of the aforementioned rule position and the Succession Certificate issued by the learned Civil Judge C.D. Ghaziabad, the OA is disposed of with direction to respondents to release the amount of arrears of pay (if any), gratuity and provident fund to the applicant nos. 2 to 4 as per the Succession certificate and to release the pension to such of the applicants 2 to 6 and also to respondent no. 3 in accordance with the rules

and procedure, subject to completion of requisite formalities within three months. No costs.”

2. In the compliance report dated 07.12.2015, the respondents have categorically submitted that the terminal benefits have been released to applicant Nos. 2 to 6 as well as respondent No.3 in the Original Application as per the directions issued by the Tribunal. The stand taken in the compliance report has not been disputed by the learned counsel for applicants. Nevertheless, he submitted that the proportion of family pension should have been released in favour of the applicants and respondent No.3 in a proportion different from one in which the official respondents have paid it to them.

3. While passing the Order, the Tribunal did not suggest any proportion to them. In the wake, we do not find any wilful disobedience of the directions contained in the aforementioned Order.

4. Contempt Petitions are accordingly disposed of. Notices issued to the respondents are discharged. No costs.

**( V.N. Gaur )**  
**Member (A)**

**( A.K. Bhardwaj )**  
**Member (J)**

**December 10, 2015**  
/sunil/