

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 391/2018

New Delhi, this the 9th day of February, 2018

Hon'ble Mrs. Jasmine Ahmed, Member (J)

Sh. Iqbal
S/o. Sh. Maksood,
Age about 27 years, (Group-D),
R/o. K-292, Gali No. 7,
Prem Nagar-II,
Kirari Suleman Nagar,
Nangloi, New Delhi. ..Applicant

(By Advocate : Mr. Manjeet Singh Reen)

Versus

Union of India & Others : through

1. The General Manager,
Northern Railway,
Baroda House, New Delhi.
2. The Divisional Railway Manager,
Northern Railway,
State Entry Road, New Delhi.
3. The Manager,
Pubjab National Bank,
BO : Kirari,
Prem Nagar, Delhi. ...Respondents

ORDER (ORAL)

Mrs. Jasmine Ahmed, Member (J) :

It is the contention of learned counsel for applicant that after the demise of his mother, the applicant was getting family pension and he has got family pension till he attained 25 years of age. It is also contended by counsel for the applicant that applicant is physically handicapped person by 78% disability. In this regard, he drew my attention to page 22 wherein it is

certified by Northern Railway and also page no. 38 in which it has been certified by the Office of Tehsildar/Executive Magistrate (Rohini) vide letter dated 07.03.2017 that he is suffering from 78% permanent physical disability in relation to his both lower limbs. Learned counsel for applicant states that the applicant being 78% physically disabled person was solely dependent person on his mother and surviving on her mother's pension.

2. In this regard, counsel for applicant states that after the demise of his mother, the respondents stopped the family pension to him for which, he had made several representations but none of the representations have been decided by the respondents till date.

3. Counsel for applicant drew my attention to page No. 47, which is the judgment passed by the Hon'ble High Court in the case of **Om Prakash Vs. Ministry of Indian Railway** pronounced on 26.03.2008. He contends that the issue in hand is exactly similar in nature in facts and circumstances of the case which is cited above. It is also stated by the counsel for applicant that he has given several representations and at this moment he will be happy and satisfied if a direction is given by this Tribunal to decide his representation dated 10.01.2018 of the applicant in the light of the judgment passed by the Hon'ble Delhi High Court in the case cited above within a time bound period.

4. Taking into consideration the limited prayer of the applicant at this stage, it is of no use to keep this O.A pending. Accordingly, the respondents are directed to decide the representation of the applicant dated 10.01.2018 in the light of the judgment passed by the Hon'ble Delhi High Court cited above, within six weeks from the date of receipt of a certified copy of this order.

5. Accordingly, the O.A is disposed of. It is made clear that nothing has been commented on the merit of the case.

(Jasmine Ahmed)
Member (J)

/Mbt/