

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

O.A. No.417/2016

Tuesday, this the 3<sup>rd</sup> day of April 2018

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

Munni (Aged about 65 years)  
w/o late Sh. Ram Singh  
age 65 years  
Group D Khalasi  
d/o Late Sh. Jot Ram & late Sh. Kasturi Devi  
r/o Nai Basti, Ismailpur Road, Narwana Jind (Haryana)

..Applicant

(Mr. U Srivastava, Advocate)

Versus

Union of India through

1. The General Manager  
Northern Railway, Baroda House  
New Delhi
2. The Divisional Railway Manager  
Northern Railway, Estate Entry Road  
New Delhi

..Respondents

(Mr. Krishna Kant Sharma, Advocate)

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

Through the medium of this O.A. filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for the following reliefs:-

- (a) Directing the respondents to place the relevant records pertaining to the present O.A. before their Lordships for the proper adjudication in the matter in the interest of justice, and thereafter;
- (b) Directing the respondents to consider and finalize the case of the applicant for releasing the family pension to the applicant as per her entitlement with in some stipulated period with all other consequential benefits admissible to the applicant in accordance with the relevant rules and instructions on the subject."

2. The factual matrix of the case, as noticed from the records, is as under:-

3. Mr. Jot Ram, father of the applicant (Munni), was working as a Khallasi under respondent No.2. He died in harness; following which the widow of Jot Ram, Mrs. Kasturi Devi, i.e., mother of the applicant, was sanctioned family pension. Mrs. Kasturi Devi died on 17.03.2012. Earlier to that, the applicant's husband, Mr. Ram Singh, also died on 02.01.2012. The applicant has been requesting the respondents for sanctioning family pension to her in terms of the extant rules. Her request has not been considered so far, as a result of which, she has approached this Tribunal praying for the reliefs as indicated in paragraph (1) above.

4. Pursuant to the notices issued, the respondents entered appearance and filed their reply. At page 4 of the reply, the respondents have made the following averments:-

"However keeping in view the above facts, and in order to consider her claim she has been asked to submit the necessary documents as per check list, which is annexed herewith as Annexure R-1 (Colly.). Her claim can be considered as per extent rules subject to fulfilment of certain conditions and proper sanction of the competent authority, if found fit for the same."

5. Mr. U Srivastava, learned counsel for applicant submitted that in view of the afore-averments made by the respondents, liberty may be granted to the applicant to submit the requisite documents, as required by the respondents in terms of the list given at page 7 of the reply. He further submitted that two weeks' time may be granted to the applicant for submitting these documents. He thus argued that after considering these

documents, the respondents may take a final view with regard to the sanctioning of family pension to the applicant.

6. Mr. Krishna Kant Sharma, learned counsel for respondents submits that the respondents have no objection to the request made. He, however, submitted that the case of the applicant would be considered strictly in terms of the extant rules.

7. In view of the above, this O.A. is disposed of in the following terms:-

i) The applicant shall submit the requisite documents to the respondents within a period of two weeks from the date of receipt of a copy of this order.

ii) The respondents shall take into consideration the documents submitted and decide the case of the applicant for grant of family pension within a period of two months thereafter.

There shall be no order as to costs.

**( K.N. Shrivastava )**  
**Member (A)**

**April 3, 2018**  
/sunil/