

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No.100/4251/2016

New Delhi this the 4th day of January, 2017

HON'BLE MS. NITA CHOWDHURY, MEMBER (A)

Smt. Maya Devi W/o Late Shyam Lal
Aged 48 year
Working as Safaiwali (Group 'D')
Under Station Supdt.,
Northern Railway
Katgar Station. Applicant

(By Advocate:Shri Manjeet Singh Reen)

VERSUS

Union of India & Others : through

1. Secretary
Ministry of Railways,
(Railway Board),
Raisina Road, New Delhi.
2. General Manager,
Northern Railway,
Baroda House, New Delhi.
3. The Divisional Railway Manager,
Northern Railway, Moradabad Division,
Moradabad (U.P). ... Respondents.

(By Advocate: Mr. Satpal Singh)

ORDER (ORAL)

Learned counsel for the applicant appears and informs that Smt. Maya Devi's husband passed away during service after which the Railways have awarded her family pension and also given her compassionate appointment, but they have failed to follow the OM of DOP&T dated 11.09.1999 and Railway Board's Circular No.285/99 dated 05.11.1999 with regard to payment of Ex-Gratia lumpsum compensation

to families of Railway employees. Moreover, the respondents were required to pay the ex-gratia amount of Rs.5 lakhs to the applicant within 3 months from the date of death of the husband of the applicant as per policy Guidelines. Railway Board amended the same policy on 30.09.2008 and 10.01.2011. But in the present case the husband of the applicant died on duty but in spite of that she has not been paid ex-gratia lumpsum compensation amount although 6 years have elapsed. He has also submitted that the issue has already been considered by this Tribunal in **O.A No. 1917/2010** titled as **Smt. Binko Devi & Ors. Vs. Chairman, Railway Board and Ors.** decided on 28.09.2010.

2. After hearing the learned counsel for the parties and going through the record, I dispose of this O.A at the admission stage itself, with a direction to the respondents to examine the case of the applicant in the light of the aforesaid OM of the DOP&T, dated 11.09.1999, Railway Board's Circular No. 285/99/any other relevant circular and the order of this Tribunal in O.A 1917 of 2010 (supra). If her case is covered by them, she shall also be given the same benefits/entitled benefits. The respondents shall also pass an appropriate order under intimation to her within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

(NITA CHOWDHURY)
MEMBER (A)

Rakesh