

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

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No.O.A.1118 of 2015

Date of order : 23.11.2015

Present : Hon'ble Mrs. Bidisha Banerjee, Judicial Member

KU. M. LAXMI  
VS.  
UNION OF INDIA & ORS.  
(S.E. Railway)

For the applicant : None

For the respondents : Mr. C.S. Bag, counsel

ORDER

None for the applicant even on third call.

2. Rule 15(1) of Central Administrative Tribunal (Procedure) Rules is invoked.
3. Annexure A-7 to the O.A. would manifest that the claim of the applicant for grant of family pension was rejected on 17.08.2012 by Assistant Personnel Officer/Sett. for Chief Personnel Officer, S.E. Railway. Thereafter the applicant preferred a representation to the Chief Personnel Officer on 25.09.2012 with evidence in support of her claim. The said representation has not been disposed of till date, as specifically pleaded.
4. The case of the applicant in a nutshell is that Mr. Varahaloo, ex-Station Clerk, Station Executive Office, Kharagpur retired from service on 04.12.1960 and died on 21.04.1979 leaving behind his wife, one married daughter and an unmarried daughter also. After the death, wife of the deceased employee used to receive the family pension till her death on 31.03.1998. Since then the applicant i.e. the unmarried daughter of the deceased employee started making representations to the Railway authorities for grant of family pension in her favour which remained suspended since the death of her mother. The married

daughter of the deceased employee having declined to accept the family pension, it is the applicant who is eligible to get the family pension.

An affidavit before the Court of Ld. Judicial Magistrate (1st Class) at Paschim Medinipore has been executed on 22.08.2012 by the applicant claiming as such.

5. It is noted that after affirming as such, the applicant made no prayer to the authorities seeking the family pension. As such the present O.A. has been filed without exhausting available departmental remedies.

6. In such view of the matter, the O.A. is disposed of with liberty to the applicant to seek appropriate benefits before the authorities.

7. No costs.

(B. Banerjee)  
Judicial Member