

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH



No.CPC.350/00177/2015  
O.A.350/01158/2014

Date of order : 24.08.2016

Present : Hon'ble Justice Mr. Vishnu Chandra Gupta, Judicial Member  
Hon'ble Ms. Jaya Das Gupta, Administrative Member

BENU BANIK

VS.

UNION OF INDIA & ORS.  
[A.K. MITTAL & ORS.(E.C.RLY.)]

For the applicant : Mr.P.C. Das, counsel  
For the respondents : Mr. C.S. Bag, counsel

ORDER

Per Justice V.C. Gupta, J.M.

Heard ld. counsel for both sides.

2. Compliance report has been filed today which is taken on record. It reveals that pension payment order has been issued in favour of the applicant and the amount has also been credited in the bank account of the applicant under State Bank of India, Jalpaiguri Branch alongwith relevant pension papers and family pension<sup>which is</sup> has been granted from 01.12.2015.

3. The relevant portion of the order passed by this Tribunal in the O.A.350/01158/2014 dated 12.06.2016 reads as follows:-

"3. As no reply has been filed and none is present for the Respondents, I am not able to know as to why the family pension granted in favour of the applicant was stopped when it is the specific case of the applicant that as per extant rules she being the unmarried daughter of the deceased employee was/is entitled to the said benefit even after attaining the age of 25 years. The above being the facts and circumstances of the matter, keeping this matter by way of awaiting reply will deprive the applicant of getting the family pension to which if she is otherwise entitled to. Hence, without expressing

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any opinion on the merit of the matter, this OA is disposed of at this stage with direction to the Respondent No.3 to consider and dispose of the representation of the applicant dated 30.01.2014, if it is still pending, and communicate the result thereof, in a well reasoned order, to the applicant within a period of thirty days from the date of receipt of a copy of this order and on consideration, if it is found that the applicant is entitled to such benefit then expeditious step be taken to release the same in her favour within another period of sixty days therefrom. If decision on the said representation has in the meantime be taken but result has not been communicated, the result of the same shall be communicated to the applicant within a period of fifteen days from the date of receipt of a copy of this order. All the points raised by the applicant are left open for the Respondent No.3 to consider. There shall be no order as to costs."

4. In view of the above, we find that the order of this Tribunal dated 12.06.2016 has been complied with. Accordingly the Contempt petition stands disposed of. Notices, if any issued, are discharged. If the applicant is aggrieved and dissatisfied in this matter, she may challenge the decision of the respondents by taking recourse <sup>by law before</sup> to the appropriate forum.

(J. Das Gupta)  
Administrative Member

(Justice V.C. Gupta)  
Judicial Member

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