

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH



No.O.A.350/00576/2016

Date of order : 28.06.2016

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

PRASANTA TUDU & OTHERS

VS.

UNION OF INDIA & ORS.  
(INCOME TAX)

For the applicant : Mr.G.C. Roy, counsel  
Mr. S. Mukherjee, counsel  
For the respondents : Mr. R. Roychowdhury, counsel

ORDER

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

Heard Id. Counsel for both sides at the admission stage without calling for reply of the respondents.

2. The matter of the present applicants has been dealt with by the Single Bench of this Tribunal headed by Hon'ble Mrs. B. Banerjee, Judicial Member in O.A.No.350/00343/2016 which was decided on 01.06.2016. The order dated 01.06.2016 passed in O.A.350/00343/2016 reveals that the O.A. was disposed of with the consent of the parties with the following direction:-

"7. However, as admittedly there is no impediment in regard to grant of family pension to the youngest brother who will receive the payments till 13.01.2018, the same should be started immediately."

3. The present O.A. has been filed seeking the following reliefs:-

"a) For a direction upon the concerned respondents to release the sanctioned family pension, leave salary i.e. with effect from 24.03.2006 to till date in view of the existing law involved therein;

b) To direct the respondents to consider the case of your applicants for release the sanctioned amount of family pension, leave salary of the deceased with effect from death of date of their father died on 24.03.2006 of Late Kalipada Tudu Ex-A.O.D.D.O./C.I.T.(A)-XV."

4. Ld. Counsel for the applicants pointed out that the arrears of family pension have already been paid but monthly pension is not being given to the youngest brother who is entitled to receive the same in terms of the order of this Tribunal in O.A.350/00343/2016.

5. Ld. Counsel for the respondents placed some instructions dated 23.06.2016 which he has received from the department. From the letter dated 22.06.2016 annexed with the instruction reveals that the payment of Group Insurance bill was <sup>sent ✓</sup> ~~re-turned~~ to the ZAO, Kolkata on 17.06.2016 and it has been released for passing from dealing hand to AAO level. It is further stated that the arrears of Family Pension in respect of Radha Nath Tudu, son of Kalipada Tudu, Ex- AO, has already paid on 07.06.16 through E-Payment and the PPO Book would be sent to Delhi for payment of Family pension w.e.f. June-2016, very soon by ZAO, Kolkata.

6. In view of the aforesaid, we dispose of this O.A. finally at the admission stage with a direction that the respondents shall comply with the order passed by the Single Bench of this Tribunal earlier<sup>on ✓</sup> dated 01.06.2016 in O.A.350/00343/2016 within a period of 30 days from the date of communication of this order and release all the post retirement dues of the deceased employee to the family members entitled to get the same as per law.

(J. Das Gupta)  
Administrative Member

(Justice V.C. Gupta)  
Judicial Member

s.b