

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH
CIRCUIT BENCH AT RANCHI
OA/051/00744/18**

Date of Order: 13/09/2018

C O R A M
**HON'BLE MR. A.K. PATTNAIK, MEMBER[J]
HON'BLE MR. PRADEEP KUMAR, MEMBER[A]**

Rita Devi, W/o late Ishram Singh, aged about 46 years, resident of Vidya nagar, Road No. 3 near Hanuman Mandir, P.O. Harmu, P.S.- Sukhdeo Nagar, District- Ranchi (Jharkhand).

..... Applicant.

-By Advocate: - Mr. M.A. Khan

-Vrs-

1. Union of India through the Directorate General, Bharat Sanchar Bhawan, BSNL, Janpath, New Delhi-110001.
2. General Manager, Bharat Sanchar Nigam Limited, A.R.T.C.C Complex, Near Jumar River, Ranchi-834003.

..... Respondents.

-By Advocate - Mr. B.K. Pathak

O R D E R
[ORAL]

Per Mr. A.K. Pattnaik, J.M.:- This OA has been filed by the applicant under Section 19 of the Administrative Tribunal Act, 1985 with a prayer for direction to the respondents to pay the

family pension benefit to the applicant in lieu of death of her husband on 05.12.2009 with arrears.

2. Heard Mr. M.A. Khan, learned counsel for the applicant and Mr. B.K. Pathak, learned counsel for the respondents.

3. On being questioned whether the applicant has availed the departmental remedy as stipulated under Section 20 of the AT Act, 1985 he has fairly submitted that the applicant has preferred a representation to respondent no. 2 on 23.03.2013 (Annexure A/5) pointing out the injustice being meted out to the applicant with regard to payment of family pension .

4. As her representation is stated to be pending before respondent no. 2, we dispose of this OA without entering into the merit of the case with direction to respondent no. 1 that if any such representation has been preferred on 23.03.2013 and the same is still pending consideration then the same may be considered keeping in mind the departmental rules on the subject. After such consideration if the applicant's grievance is found to be genuine then the respondent no. 2 is directed to consider his case

for family pension and pass a reasoned and speaking order within a period of six weeks of receipt of this order.

5. With the aforesaid observation and directions, this OA is disposed of at the admission stage itself. No order as to costs. As prayed for by the learned counsel for the applicant, a copy of this order along with the copy of OA in paper book format along with his representation dated 23.03.2013 be submitted to respondent no. 2 by speed post for which he undertakes to deposit the cost with the registry within a period of 7 days.

[Pradeep Kumar]/M[A]

[A.K. Pattnaik]/M[J]

Srk.