

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH
CIRCUIT BENCH AT RANCHI
OA/051/00218/17**

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]

1. Dr. Manish Narain, son of late Dr. Laxmi Narain aged about 56 years.
2. Aruna Narain, daughter of Late Laxmi Narain aged about 41 years.
3. Rohini Narain, daughter of Late Laxmi Narain aged about 39 years.
4. Pravin Narain daughter of Late Laxmi Narain aged about 37 years.

All residents of Narayani Villa, Steel Gate, Post Saraidhella, Police Station- Saraidhella, District- Dhanbad.

..... Applicants.

- By Advocate: - Mr. Ravi Kumar Singh

-Vrs-

1. Union of India through the officer on Special Duty, Ministry of Coal, Kalyan Bhawan, Jagjiwan Nagar, Dhanbad.
2. Special Officer (Welfare), Ministry of Coal, Kalyan Bhawan, Jagjiwan Nagar, Dhanbad.
3. Accounts Officer, Pay and Accounts Office, Ministry of Coal, Kalyan Bhawan, Jagjiwan Nagar, Dhanbad.
4. Chief Manager, State Bank of India, Indian School of Mines Branch, Dhanbad.

..... Respondents.

- By Advocate - Mr. A.K. Sharma

O R D E R
[ORAL]

Per A.K. Pattnaik, J.M.:- This OA has been filed by the applicant under Section 19 of the Administrative Tribunal Act, 1985 with the following prayers:-

“ The applicants in the present case pray for a direction upon respondent no.1 and 2 to sanction/authorize family pension payable to their deceased mother for a period since the date of death of their father till the date of death of their mother, i.e. from 24.04.2007 to 22.06.2010 with interest @ 18%. And the applicants also pray for any other relief/reliefs to which they may be found entitled to in peculiar facts and circumstances of this case.”

2. The sum and substance of the case as per the learned counsel for the applicants is that their father was getting pension after his retirement from service on 01.02.1987. After the death of their father on 22.06.2010 the widow, i.e. their mother became entitled for grant of family pension with effect from the date of death of their father. It is submitted that the mother of applicants applied for getting family pension but she was forced to run from pillar to post and the matter remained in the files of the respondents and she was not sanctioned family pension till her death on

22.06.2010. Now the applicants being the Class –I legal heirs left in the family claim family pension due to their mother till her death. The applicants have enclosed the family certificate dated 13.07.2017(Annexure A/4) issued from the office of BDO, Dhanbad in support of their claim. It is submitted that after the death of their mother the applicant no.1 made enquiry from the respondent no. 4, i.e. State Bank of India, ISM Campus Branch, Dhanbad from which their late father was getting pension. After so many correspondences he was informed by the Dhanbad Office videletterdated19.10.2016 that family pension payable to his mother had already been authorized and was advised to contact with the paying bank for further action. Finally, the applicant no.1 filed a representation on 2.11.2016 (Annexure A/8) to the respondent no. 4, i.e. the concerned SBI Branch. But no action has been taken on the said representation.

4. As the representation of the applicant no. 1 is stated to be pending before respondent no. 4, we dispose of this OA without entering into the merit of the case with direction to respondent no. 4 that if any such representation has been preferred on 02.11.2016 and the same is still pending consideration then the same may be

considered and disposed of by way of passing a reasoned and speaking order within a period of six weeks of receipt of this order. If on such consideration the family pension is found to be admissible then the same shall be paid to the applicants within a further period of six weeks.

5. With the aforesaid observation and directions, this OA is disposed of. No order as to costs. As prayed for by the learned counsel for the applicants, a copy of this order along with the copy of OA in paper book format along with his representation dated 02.11.2016 be submitted to respondents no. 4 by speed post for which she undertakes to deposit the cost with the registry within a period of 7 days.

[Pradeep Kumar]/M[A]

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

Srk.