

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.505/2017 with MA No.439/2017

This the 05th day of March, 2019

Smt. Manorama Swamy
D/o. Shri Thambimum Swamy
Aged 63 years
R/o. 204, Tower-A, Unnad Deep Apt., Susssen,
Tarsali Ring Road,
Vadodara 390 009. **Applicant**

(By Advocate : Ms.S.S.Chaturvedi)

VERSUS

1. Union of India,
Notice to be served through
General Manager,
Western Railway,
Churchgate, Mumbai 400 020.

2. Chief Works Manager
Loco Carriage and Wagon Workshop
Western Railway, Free Land Ganj,
Dahod 389 160. **Respondents.**

(By Advocate : Shri M.J.Patel)

ORDER – ORAL

Per : Hon'ble Shri M.C.Verma, Member (J)

The applicant, Smt. Manorama Swamy, being aggrieved by non-action of respondents to grant family pension to her has preferred this OA. She has

pleaded that she is divorce daughter of her father, namely Shri Thambimum Swamy, that her father was in service of the respondents and at the time of his superannuation was working as C/man under DEE (EL) at Dahod Workshop of Western Railway. That after superannuation her father was getting pension and he died on 12.3.1997. That thereafter, after the death of her father, her mother was getting family pension and she also died on 10.11.2000. That she is divorce daughter of her father and hence is entitled for family pension. That she applied for family pension on 19.1.2017, copy of her application is Annexure A-1, that some documents were demanded by the respondents which she provided but no decision has been taken on her said representation.

2. Respondents has filed Reply which reflects that applicant never approached for family pension from the period 2000 to 2016 and for the first time it is only in 2017 when she, vide application dated 19.01.2017 applied for grant of family pension. It has been pleaded further that applicant has not submitted required authentic documents, she was informed to produce required documents but she did not supply. That the required documents were as per JPO (Annexure A-8) to the OA. Respondents have given the details of the documents which were needed in para 7 of the reply.

3. Heard. Learned counsel for applicant while pressing the OA submits that whatever documents were needed has been supplied and ld. counsel for

respondents made a categorical statement at Bar that divorce deed has not been supplied. The main dispute centred around whether divorce decree/ deed was supplied or not. It is inquired from learned counsel for applicant whether copy of divorce deed has been supplied and she submits that perhaps the same has also been supplied.

4. Anyhow the grievance of the applicant is that she being divorce daughter of her father is entitled to family pension, she applied for family pension on 19.1.2017 but her said request has not yet been decided by the respondents. From pleading and submission made at Bar it is undisputed that applicant has given application to respondents for family pension, on 19.1.2017 and her said request for family pension has not yet been decided by the respondents. Hence, without entering into factual details whether some documents on demand of respondents were supplied or not by the applicant, I think it would be appropriate to dispose of this OA, with some direction.

5. Having considered the entirety respondent No.2 is directed to send a list of documents to the applicant, needed for taking decision upon request of her family pension within two weeks from the date of receipt of this order and to dispose and take decision upon her representation, dated 19.01.2017, within two weeks after receipt of documents. Applicant shall supply all required documents, demanded by the respondents within four weeks, after having

received the requisition list from the respondents. It is hoped that applicant and respondents would work in sync, no unnecessary document or document which has already been supplied, would be demanded by respondents and applicant would make sincere effort to supply the demanded documents well within time.

6. With the above said observations and directions, the OA stands disposed off. No order as to costs. Any MA, if pending also stand disposed off.

**(M.C.Verma)
Member (J)**

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