

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00853/2018

Jabalpur, this Friday, the 14th day of December, 2018

HON'BLE SHRI NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER

Nazmeen Sheikh,
Daughter of Dalsher Khan
Aged about 44 years
Occupation Housewife
Resident of Behind MG
Running Room, Chidia Maidan
Khandwa (M.P.) 450001
(Mobile No.9424987091)

-Applicant

(By Advocate –Shri Naveen Kumar Agrawal)

V e r s u s

1. Union of India,
Through: the General Manager
(Pension Section)
Central Railway,
Mumbai C.S.T. PIN 400098

2. Divisional Railway Manager (P)
(Settlement & Pension Section)
Bhusawal Division Central Railway
Bhusawal (MH) PIN 425201

3. Station Manager,
Bhusawal Station,
Central Railway,
Bhuwawal (M.P.) PIN 425201

- Respondents

**(By Advocate –Smt. Anjana Shrivastava proxy counsel for
Shri A.S. Raizada)**

O R D E R (ORAL)**By Navin Tandon, AM:-**

The applicant is aggrieved by the action of the respondents in not granting her family pension.

2. The applicant in this Original Application has sought for the following reliefs:-

“8.1 to call for the entire records of the case from the respondents authorities for proper adjudication of the matter.

8.2 To direct the respondent authorities to grant family pension to the applicant w.e.f.31.12.2013 along with arrears from the date of her father the deceased employee in the interest of justice.

8.3 To grant any other relief which this Hon'ble Tribunal deems fit and proper in the facts and circumstances of the case alongwith costs of Original Application.”

3. It is submitted by the applicant that she is the divorced daughter of deceased employee Shri Dalsher Khan, who was working with the respondent department as Luggage Poster at Bhusawal Station and was retired from Railway Services on 18.05.2005. The father of the applicant had submitted an application dated 21.01.2011 (Annexure A/5) before the respondent-authority to sanction family pension in favour of his divorced daughter i.e. the applicant. The applicant's father expired on 31.12.2013. Thereafter applicant submitted an affidavit dated 04.09.2017 (Annexure A/11) claiming family pension to the respondents, which is still pending for consideration.

4. Learned counsel for the applicant further submits that the applicant would be satisfied if a direction be given to the competent authority of the respondents to consider the affidavit dated 04.09.2017 (Annexure A/11) submitted by the applicant for grant of family pension as per the provision enunciated in Railway Board's letter dated 13.10.2006 (Annexure A/6), in a time bound fashion.

5. Learned proxy counsel for the respondents appears on receipt of advance copy of O.A. submits that she has no objection if this O.A. is disposed of in above terms.

6. Keeping in view the submissions, we deem it appropriate to dispose of this Original Application, at this admission stage, with a direction to the competent authority of the respondents to consider and decide the applicant's representation dated 04.09.2017 submitted in affidavit form (Annexure A/11), as per rules/instructions and pass a reasoned and speaking order, if not already decided, within a period of 60 days from the date of receipt a copy of this order. The decision taken shall be communicated to the applicant.

7. Needless to say that nothing has been commented on the merits of the case.

(Ramesh Singh Thakur)
Judicial Member
kc

(Navin Tandon)
Administrative Member