

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
LUCKNOW BENCH,  
LUCKNOW.**

**Original Application No. 14 of 2019**

This the 11<sup>th</sup> day of January, 2019

**Hon'ble Ms. Jasmine Ahmed, Member-J**

Ms. Sunita Verma, aged about 45 years, D/o late Sri Shiv Charan, R/o 549/157 Bara Barha, Alambagh, Lucknow.

.....Applicant

By Advocate : Sri Praveen Kumar

Versus.

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. The Chief Works Manager, Northern Railway, Loco Workshop Charbagh, Lucknow.

.....Respondents.

By Advocate : Ms. Prayagmati Gupta

**O R D E R (Oral)**

Heard the learned counsel for the applicant as well as the learned counsel for the respondents and perused pleadings available on record.

2. It is seen from the impugned order dated 12.11.2018 whereby the respondents have stated that as divorce petition was filed by the applicant after the death of her parents, hence she is not entitled to get family pension being not dependent on her parents. Learned counsel for the applicant vehemently argues and opposes the contents of the impugned order dated 12.11.2018 by drawing my attention towards at page no. 14, which is an order of Principal Judge, Family Court, Lucknow, wherein it has been held that the applicant, herein, was not staying with her husband since 22.4.1989 and accordingly the date of divorce is held to be effective from. 22.4.1989. Learned counsel for the applicant further submits that from the perusal of the order of Principal Judge, Family Court, it would reveal that a finding has been recorded by the Principal Judge that the applicant had been living separately from 22.4.1989 itself and that is why the date of divorce has been taken by

the Principal Judge in its order w.e.f. 22.4.1989 which is much before the death of her parents. On query, whether this fact has been pressed/communicated to the respondents, learned counsel for the applicant submits that the applicant would file a fresh representation by bringing the aforesaid fact to the knowledge of the respondents.

3. In view of the above, the applicant is directed to prefer a fresh representation bringing the aforementioned facts to the knowledge of the respondents with regard to the observations made at page 14, which is a judgment rendered by Principal Judge, Family Court, Lucknow, within a period of 15 days from today and the respondents shall pass a reasoned and speaking order within a period of two months from the date of receipt of such representation alongwith certified copy of this order in accordance with law under intimation to the applicant.

4. With the above observations, the O.A. stands disposed of without commenting anything on merits of the case. There shall be no order as to costs.

**(Ms. Jasmine Ahmed)**  
**Member-J**

*Girish/-*