

ORAL

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH, ALLAHABAD

(This the **19th Day** of **July**, 2019)

Hon'ble Mr. Justice Bharat Bhushan, Member (Judicial)

Original Application No.330/749/2019
(U/S 19, Administrative Tribunal Act, 1985)

Smt. Suman aged about 44 years D/o Late Baijnath R/o 195,
Hazaryana Bunglowghat, Jhansi, District Jhansi.

..... **Applicant**

By Advocate: Shri Syed Mushfiq Ali

Versus

1. Union of India, through General Manager, Head Quarter North Central Railway, Allahabad.
2. Chief Workshop Manager, Workshop North Central Railway, Jhansi.

..... **Respondents**

By Advocate: Shri Shesh Mani Mishra

ORDER

Shri Syed Mushfiq Ali, Advocate, is present for the applicant. Shri Shesh Mani Mishra, Advocate is present for respondents.

2. This Original Application (OA) has been filed by the applicant, Smt. Suman, for the following relief:-

- " (i) *To grant the family pension in favour of the applicant as per the facts and circumstances of the case under the pension Rules-1993 and circulars of Railway Board.*
- (ii) *To decide the pending representation dated 22.10.2012 of the applicant by a reasoned and speaking order within time bound direction.*
- (iii) *To pass any such order as deem fit in the facts and circumstances of the case.*

(d) Award the cost of the petition in favour of the applicant. "

2. The Original Application is that late Baijnath was retired from the post of Mason in the Railway Department. Subsequently, he died on 15.03.1983, thereafter family pension was granted to the mother of applicant who also expired on 24.11.1983.

3. Late Baijnath has 03 unmarried daughters including applicant. Family pension was granted to elder daughter Premwati and others. At present applicant is widow daughter of employee. The submission is that applicant is completely depending upon her parents at the time of their death and her husband has also died.

4. The applicant moved an application on 22.10.2012 for granting family pension under Pension Rules-1993, Rules-75(6). Several representations have been filed but respondents have not taken any cognizant on the representation.

5. Counsel for the applicant has stated that grievance of the applicant would be redressed if respondents are directed to decide representation dated 22.10.2012 (Annexure A-1) by a reasoned and speaking order within specified time frame.

6. In view of the aforesaid limited prayer made by counsel for the applicant but **without commenting anything on merits of the case**, the instant Original Application is disposed off with the direction to the respondent No.2 to decide the representation of the applicant dated 22.10.2012 (Annexure A-1) by a reasoned and speaking order within a period of four months from the date of receipt of certified copy of this order and communicate the decision so taken by the respondents to the applicant in writing. No costs.

(Justice Bharat Bhushan)
Member (Judicial)

Sushil