

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Thursday 4th day of April Two Thousand And Nineteen

PRESENT:
THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

OA.310/487/2019

M. Rajeswari,
Mother of late M. Sivakumar,
No.333, T.H. Road,
Old Washermanpet,
Chennai.Applicant

(By Advocate: M/s. Ratio Legis)

Versus

1. Union of India Rep. by
The General Manager
Integral Coach Factory,
Chennai- 600 038;
2. The Assistant Personnel Officer/R,
Office of the Principal
Chief Personnel Officer/Shell
Integral Coach Factory,
Chennai- 600 038.Respondents

(By Advocate: Mr. P. Srinivasan)

ORAL ORDER

[Pronounced by Hon'ble Mr. R. Ramanujam, Member (A)]

Heard. Applicant has filed this OA seeking the following relief:-

"to call for the records related to the impugned order No.PB/Sett/713756 dated 10.08.2018 and further to direct the respondent to extend family pension to the applicant with effect from 17.06.2013 with all the attendant benefits with admissible interest and to make further order/orders as this Hon'ble Tribunal may deem fit and proper and thus render justice."

2. The applicant is aggrieved by Annexure-A/4 communication dated 10.08.2018 rejecting her claim for family pension following the demise of her son on 21.12.2012. It is stated that the applicant did not fall under the dependency criteria as prescribed in RSPR (93) Rules on the date of demise of her son.
3. Learned counsel for the applicant would submit that the respondents rejected the applicant's claim with a non-speaking order without explaining how the applicant failed to meet the dependency criteria as prescribed in RSPR(93) Rules. It is submitted that the applicant was only in receipt of monthly family pension of Rs. 3050/- from the Corporation of Chennai based on only 10 years of service of her late husband and, accordingly, the amount was well below the pension that the applicant's husband would have earned, had he put in full qualifying service. Accordingly the applicant would be satisfied if she is permitted to make a comprehensive representation to the respondents and the competent authority is directed to pass a reasoned

and speaking order in terms of the relevant rules within the time limit to be set by the Tribunal.

4. Mr. P. Srinivasan Learned Standing Counsel who takes notice for the respondents has no objection to the prayer.

5. Keeping in view the limited relief urged, as the impugned communication date 10.08.2018 is sketchy and non speaking, without going into the substantive merits of the case, the applicant is permitted to make a comprehensive representation within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents, in review of Annexure-A/4 communication and in the light of any evidence produced by the applicant, consider her claim in accordance with the relevant rules and pass a reasoned and speaking order within a period of three months thereafter.

6. The O.A. is disposed of with no costs.