

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH



No. OA 350/00086/2016

Date of order : 30.3.2016

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Mr. K.N.Srivastava, Administrative Member

MANASHI GHOSH (DAM)

VS

UNION OF INDIA & ORS.

For the applicant : Mr.P.C.Das, counsel
Ms. T.Maiti, counsel

For the respondents : Mr.S.Banerjee, counsel

O R D E R

Ms.Bidisha Banerjee, J.M.

Heard both the ld. Counsels.

2. The applicant a widowed daughter of deceased Paresh Ch. Dam, an employee of Rifle Factory Ishapore who retired from service w.e.f. 1.7.02, has claimed family pension w.e.f. the date of expiry of her mother i.e. w.e.f. 1.8.12 along with arrears of pension and other consequential benefits, in the light of DOPT OM dated 22.6.10, 24.4.11 and 11.9.13.

3. Ld. Counsel for the respondents vehemently opposed the claim on the ground that the daughter was married and as such not dependent upon the employee at the time of his death and therefore the DOPT OM cited by the applicant would have no manner of application to her.

4. Ld. Counsel for the applicant would submit that the prayer/representation of the applicant seeking benefit as made on 28.10.15 (Annexure A/9) citing various provisions and a decision of Hon'ble High Court at Calcutta, have not been answered by the respondents and therefore he would be satisfied if a direction was given for disposal of the representation in a time bound manner.

5. Therefore in the interest of justice without going into the merits of the matter the OA is disposed of with a direction upon the General Manager, Rifle

Factory Ishapore i.e. respondent No.3 to consider the grievance of the applicant in accordance with law and the DOPT OM cited as well as rules governing the field and to dispose it of with a reasoned and speaking order within two months from the date of communication of this order.

6. Accordingly the OA stands disposed of. No order is passed as to costs.

(K.N.SRIVASTAVA)
MEMBER (A)

(BIDISHA BANERJEE)
MEMBER (J)

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