

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

LIBRARY

OA. 350/00010/2016

Date of Order 21.01.2016.

Present :Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

Niyati Das
Vs.
E. Rly.

For the Applicant : Mr. S. Banerjee, Counsel

For the Respondents : Mr. BK Roy, Counsel
Ms. S. Auddy, Counsel (For Bank)

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:-

The applicant is aggrieved due to stoppage of family pension.

2. Learned counsel for the Bank, respondent no. 7 invited our attention to the communication dated 24.06.2015 which is as under: (emphasis supplied for clarity)

"With reference to the above that Smt. Das withdrawing pension from this branch is not getting pension from March, 2014 due to non submission of life certificate on November, 2013. For this reason our C P P C, Kolkata has stopped the payment of pension. As per Govt. rule the non payment of pension for more than one year a fresh order to start the pension is required from disbursing authority.

Please look after the matter and issue order to our CPPC Department to start the pension. Thanking you."

She submitted that the pension could not be released due to non furnishing of life certificate and a fresh PPO would be required.

3. To join issue learned counsel for applicant invited our attention to the certificate issued by the Bank itself on 24.06.2015, clearly and indubitably certifying that Niyati Das wife of late Brikodar Das is a holder of family pension in Pension Payment Order No. 02012145101, and is alive.

4. In view of such certificate, clearly certifying on 24.06.2015 that the pension holder was alive as on 24.06.2015, in our considered opinion there was no occasion for the respondent to stop the family pension unless any contrary information was received by them.

5. Therefore, we are of the view that the respondent has faulted in not making payment regularly to the applicant.

B.

6. Moreover, in view of the certificate dated 24.06.2015 there would be no question to file any fresh PPO for continuity of the payment of family pension.

7. Therefore, we direct the respondents to grant the payment of family pension regularly from the date it was stopped with arrears and with statutory interest, as would be payable, in accordance with law, to be released within one month from the date of communication of this order.

8. For the purpose the Official respondents are also directed to ensure that the payment is received by the applicant within the said period and regularly thereafter in accordance with law.

9. If necessary, the official respondents may also issue a fresh PPO in favour of the applicant, for continuity of family pension from the date it was stopped.

10. The OA is accordingly disposed of. No costs.

(Jaya Das Gupta)
Member (A)

(Bidisha Banerjee)
Member (J)

pd