

Central Adminisrative Tribunal  
Principal Bench

O.A.No.556/2003

Hon'ble Shri Shanker Raju, Member(J)

New Delhi, this the 12th day of March, 2003

Smt. Imarti Devi  
w/o Shri Soran Singh  
r/o J-73, Saket, New Delhi. .... Applicant

(By Advocate: Sh. A.K.Trivedi)

vs.

1. Union of India through its Secretary  
Ministry of Defence  
South Block  
New Delhi.
2. The Chief Engineer  
HQs, Chief Engineer Western Command,  
Chandimandir  
Chandigarh.
3. The Garrison Engineer (North)  
Air Force Station  
Palam, Delhi Cantt. - 110 010. .... Respondents

O R D E R(Oral)

By Shri Shanker Raju, M(J):

Applicant is wife of the Government servant  
who is reportedly missing since 15.7.1995.

2. Applicant has filed OA No.2475/98, which was disposed of by an order dated 20.1.2000, wherein the respondents have been directed to dispose of the representations dated 30.10.1998 and 12.5.1999 within a period of three months. In pursuance thereof, the claim of applicant has been turned down by respondents vide order dated 26.9.2000, giving rise to the present OA.

3. Applicant, in this OA, taking resort to  
CCS (Extra-ordinary Pension) Rules, contended  
that as per the Schedule, in case of persons suffering  
with the disease of Epilepsy with Psychosis and

(3)

further placing reliance on Rule 9(3)(b) it is contended that even if the employee has not completed 10 years service, he shall be given an amount of disability pension as is admissible under the EOP Rules subject to the condition that the sum-total of the pension equivalent of such gratuity under the CCS (Pension) Rules, 1972 plus the disability pension as is admissible under the CCS (EOP) Rules, shall not be less than the widow's (Family) pension under the CCS (EOP) Rules.

4. In this furtherance, he has preferred a representation to respondents on 15.2.2002 which is yet to be disposed of.

5. In this view of the above, ends of justice would be met if the present OA is disposed of with direction to respondents to consider the claim of applicant through a detailed and speaking order in the light of the provisions of CCS (EOP) Rules *ibid*, within two months from the date of receipt of a copy of this order.

6. Let a copy of this order along with a copy of OA be sent to respondents.

S. Raju  
(Shanker Raju)  
Member (J)

/rao/

OA Disposed of on 12/2/02  
M.A. & Ext. & Justice Raju  
Loktp. Council