

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

OA-67/2003

(6)

New Delhi this the 28th day of January, 2003.

Hon'ble Dr. A. Vedavalli, Member(J)

P.L.Khandelwal  
A-14, Nanda Road, Adarsh Nagar,  
Delhi. .... Applicant

(By Advocate: Shri R.K.Shukla)

Versus

Union of India through  
1. Deputy Chief Accounts Officer  
(Traffic Accounts) (Dy.CAO(TA),  
Western Railway,  
Ajmer-305001.  
2. Financial Advisor and Chief  
Accounts Officer (FA&CAO)  
Western Railway, Church Gate,  
Mumbai-400020.

.... Respondents

ORDER (ORAL)

Hon'ble Dr.A.Vedavalli, Member(J)

Heard Shri R.K.Shukla, learned counsel for the  
applicant.

2. The applicant P.L.Khandelwal, who is a  
pensioner from Western Railway, is aggrieved by the  
non-disposal of his request for grant of family pension  
in his wife's name inspite of several representations.  
The latest representation is annexed at Annexure A-13  
dated 23.7.2002 followed by a reminder dated 24.10.2002  
(Annexure A-14).

3. The applicant claims the following reliefs  
in this OA:-

"a) to issue appropriate order/direction  
to the respondents to issue a revised  
family-pension endorsed PPO in lieu of  
his existing PPO No.  
DAO/AII/PEN/E-789/UPC/354/Revised dated  
01-05-2001, relating to the service

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rendered by the applicant in the railways, in the name of his wife Smt. Radha Devi Khandelwal.

b) to order the respondents to pay compensation, as may be deemed fit to this Hon'ble Tribunal, for the mental agony suffered by the applicant for the last 16 years.

c) to award costs of litigation to the Applicant as may be deemed appropriate by the Hon'ble Tribunal

d) to grant any other relief to the Applicant which this Hon'ble Tribunal may be pleased to consider in the facts & circumstances of the case."

4. When the matter came up for admission today, learned counsel for the applicant, Shri R.K.Shukla submitted that the applicant is above 74 years of age and has been put to a lot of inconvenience and mental tension due to the non-disposal of his representations by the respondents. He has also submitted that as per the letter of the respondents dated 9.1.2002, the matter is under consideration. However, no clarification/decision has been conveyed to the applicant as on date.

5. Learned counsel for the applicant prays that the matter may be disposed of at the admission stage itself with a direction to the respondents to dispose of the aforesaid representations within a particular time frame to be fixed by the Court with liberty to approach the Tribunal again, if any grievance survives further.

6. In the facts and circumstances of the case and on consideration of the matter, I am of the view that the ends of justice will adequately be met by disposing of this application at the admission stage

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itself with the following directions to the respondents:-

The respondents are directed to examine all the representations, including the aforesaid representation dated 23.7.2002 (Annexure A-13) treating the grounds taken in the present O.A. also as additional grounds on their merits in the light of the relevant rules, instructions and judicial pronouncements on the subject and dispose of the same by a detailed and speaking order in accordance with law under intimation to the applicant within two months from the date of receipt of a copy of this order.

7. In case any grievance survives further thereafter the applicant is given liberty to approach the Tribunal in appropriate fresh original proceedings, if so advised, in accordance with law.

8. The O.A. is disposed of as above.

9. Registry is directed to send a copy of the O.A. alongwith a copy of this order to the respondents.



(Dr. A. Vedavalli)  
Member(J)

/kd/