

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

**O.A. No.60/1107/2018
M.A. No.60/207/2019**

Date of decision: 07.12.2019

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER
(J).**

...

Bala Widow of Rattan Lal Nagar, aged about 55 years, EX. T.S.
Vol. resident of Village and Post Office Uncha Samana, District
Karnal-132001.

...APPLICANT

VERSUS

1. Union of India through its Secretary, Ministry of Communication and I.T. Department of Telecommunications, 20, Sanchar Bhawan, Ashoka Road, New Delhi-110001.
2. Controller of Communication Accounts, Haryana Telecom Circle, Lawrence Road, Door Sanchar Bhawan, Ambala City-133001.
3. Principal General Manager, Telecom-8, Bharat Sanchar Nigam Limited (in short BSNL), District Karnal-132001.
4. Head Post Master, Head Post Office, Kunjpura Road, District Karnal-132001.

...RESPONDENTS

PRESENT: Sh. Virender Kumar, counsel for the applicant.
Sh. Sanjay Goyal, counsel for respondents no.1, 2 and 4.
Sh. Madan Mohan, counsel for respondent no.3.



ORDER (Oral)

...

SANJEEV KAUSHIK, MEMBER (J):-

1. The applicant is before this Court for invalidation of two orders dated 23.07.2018 (Annexure A-12) and 09.08.2018 (Annexure A-13), whereby she have been informed that she cannot be granted family pension as her name was not available in the service book and PPO.
2. Learned counsel for the applicant vehemently argued that orders are liable to be quashed as applicant is legally wedded wife of the deceased employee and further argues that detail of legal heirs has been given in para I of the O.A. He submitted that despite various representations having been submitted for the pension, respondents are not deciding her case and have arbitrarily passed these orders that she cannot be granted family pension. He also drew attention of this Court to reply to legal notice, whereby it has been informed that after death of pensioner, respondents have not released family pension.
3. Apart from that, Sh. Sanjay Goyal, counsel for respondents no. 1, 2 and 4 argued that since no formal order rejecting her claim has been passed, therefore, respondents be given another opportunity to reconsider claim of the applicant in the light of rule formation and pass order. If applicant is



found to be entitled then she will be released benefit otherwise a reasoned and speaking order will be passed.

4. In the wake of above, I am of the view that it would be in the interest of justice to dispose of this O.A. by directing the applicant to submit necessary documents staking her claim for release of pension within a period of four weeks from the date of receipt of a copy of this order. On receipt of such documents, respondents are granted six weeks time to consider her claim in terms of rules. If she is found to be entitled, then family pension be released otherwise a reasoned and speaking order be passed. Ordered accordingly.

5. M.A. No.60/207/2019 also stands disposed of. No costs.

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 07.12.2019.
Place: Chandigarh.
'KR'

