

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 040/00128/2019

Date of Decision: 29.04.2019

THE HON'BLE MRS. MANJULA DAS, JUDICIAL MEMBER

1. Smti. Khagemain Hira
 W/O. Late Chana Ram Hira
 R/O. Vill: Bagalajan, P.O: Pub – Gurimari
 P.S.: Kampur, Dist: Nagaon, Assam.

2. Smt. Upamai Hira
 W/O. Late Chana Ram Hira
 R/O. Vill: Moripachatia, Hiagon
 P.O. & P.S: Morigaon, Dist.: Morigaon, Assam

.....Applicants

By Advocate(s): Mr. Azad Ahmed
 Mr. I.U. Choudhury

-Versus-

1. The Union of India
 Represented by its Secretary to the
 Government of India, Ministry of Railways
 New Delhi. Pin – 110001.

2. The Secretary to the Government of India
 Ministry of Finance, New Delhi.

3. The General Manager, Northeast Frontier
 Railway, Maligaon, Dist. Kamrup (M) Assam.
 Pin – 781012.

4. The Senior Divisional Railway Manager
 Northeast Frontier Railway, Lumding
 Dist.: Nagaon Assam. Pin – 782447.

5. The Divisional Accounts Officer/DFM
Northeast Frontier Railway, Lumding
Dist.: Nagaon Assam. Pin – 782447
6. The Manager, State Bank of India, Main
Branch Nagaon, P.O. & Dist. – Nagaon
Assam, Pin – 782001.

.....**Respondents**

ORDER (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

By this O.A. the applicants, under section 19 of the Administrative Tribunal Act, 1985 makes the following reliefs:

“VIII. It is, therefore, prayed that this Hon’ble Tribunal may graciously be pleased to admit this petition, call for records, issue rule calling upon the respondents to show cause as to why the representations dated 05.09.2014, 24.08.2017 and 14.02.2019 submitted by the applicants before the Sr. Divisional Railway Manager (P), N. F. Railway, Lumding Division, Assam should not be given effect and further as to why the respondent authorities shall not be directed to apportion/release the Family pension and other service benefits of Late Chana Ram Hira as per law to the applicants and upon such cause or causes that may be shown hearing the parties pursuing the records further be pleased make the rule absolutes and/or pass such further or other orders as this Hon’ble Tribunal may seem fit and proper.

2. Mr. Azad Ahmed, learned counsel appearing on behalf of the applicants submitted that the applicant No. 1 is the first wife and the applicant No. 2 is the second wife of Late Chana Ram Hira. Learned counsel further submitted that applicants husband was an

Employee of Northeast Frontier (N.F.) Railway who joined in the service on 11.07.1973 and retired from services after attaining the age of superannuation. After retirement from service the applicants' husband was drawing his pensions vide pension payment (PPO No. 00409073307 at SBI Maligaon Branch. But after the death of the applicants' husband, the respondent authority had not issued or allowed to draw the family pension to the applicants as both the applicants being the wives of late Chana Ram Hira had claimed for the same. Thereafter, both the applicants made their representations dated 24.08.2017 & 14.02.2019 before the Sr. Divisional Railway manager (P) Railway, Lumding with a prayer to release their family pension in two equal share as both the applicants have amicable agreed and has no objection or any conflict vide a mutual family agreement dated 05.11.2015, but till date, the respondent authority has not taken any action to disburse the family pension to the applicants.

3. In view of the above submission made by learned counsel for the applicants and without going into the merit of the case, I dispose of the O.A. by directing respondents authorities to dispose of the representations dated 24.08.2017 & 14.02.2019 made by the applicants within a period of one month from the date of the receipt of copy of this order. It is made clear that, whatever decision to be

arrived by the respondent authorities, the same shall be reasoned and speaking and shall be communicated to the applicant forthwith.

4. O.A. stands disposed of. No order as to costs.

**MANJULA DAS
MEMBER (J)**

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