

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

Original Application No.21/660/2019

Date of Order: 30.07.2019

Between:

Y. Lakshmi Prasad
S/o Narayan Rao
Aged 41 years, Un-employee Group C
R/o Village Nagupally
Dhammapata Mandal
Khammam District.

... Applicant

AND

1. The Superintendent of Post Offices
Khammam Division
Khammam 507 003.

2. The Superintendent of Posts
RMS Y Division
Vijayawada – 520 001.

3. The Inspector of Posts
Sathupally Sub-Division
Sathupally, Khammam District – 507 303.

4. The Sub-Post Master
Khammam Division
Khammam = 507 001.

5. The Head Post Master
Head Post Office
Kothagudem – 507 101.

6. Union of India, rep by its
The Chief Post Master
Telangana Circle at Hyderabad. ... Respondents

Counsel for the Applicant ... Mr. N. Ramu
Counsel for the Respondents ... Mrs. K. Rajitha, Sr. CGSC

CORAM:

Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

ORAL ORDER

2. The OA is filed for not granting Family Pension.

3. Brief facts of the case are that the applicant is Visually Handicapped by birth to the extent of 75%. His father retired from the respondents organization as Head Mail Man (HMM), Sub Record Office Y Division. Thereafter, he died on 11.4.2006. On the demise of his father, Family Pension was paid to his Mother. Unfortunately, the Mother too died on 18.03.2016. Being the legal heir, he is entitled to be granted family pension. Therefore, he submitted the required documents to the Head Post Master, Kothagudem (Respondent No.5 herein), for seeking family pension. While processing the documents, respondents have sought 12 additional documents, which were furnished to the Head Post Master, Kothagudem. Surprisingly, 1st Respondent, vide letter dated 19.12.2018, informed that the original copies of the documents were not received by his office. In response, applicant submitted xerox copies and also acknowledgement received from the Head Post Master (HPM), Kothagudem, in receipt of the original papers. Till date, family pension has not been granted. Aggrieved, OA has been filed.

4. The contentions of the applicant are that though he is eligible, family pension has not been granted. Applicant also asserted that he has submitted original documents to HPM, Kothagudem, as per relevant

rules. The submission of original documents has been acknowledged by Respondent No.5. Without verifying the facts, not considering his case for family pension, is grossly irregular.

5. Heard both the counsel and perused the records as well as material papers submitted.

6. The impugned order, which has been issued on 19.12.2018, reads as under:

“The pension file of Sathupalli S.O., received through your letter under reference as “Postmaster’s half of PPO”, is returned here with. Please submit Disburser’s half of PPO for furnishing to O/o the SRM-Y-Divn, Vijayawada, to process the family pension case.”

7. (I) The impugned order was addressed to Respondent No.5 by Respondent No.1 with a copy marked to the applicant. Applicant claims that he has submitted the Original Documents to Respondent No.5, and also taken an acknowledgement to that effect from Respondent No.5. When Respondent No.1 sought originals, he submitted the xerox copies available with him, intimating therein that original documents were submitted to Respondent No.5.

(II) Thus, it is evident from the facts of the case that applicant, who is visually handicapped to the extent of 75%, being eligible legal heir has submitted the relevant documents for sanction of family pension. Till date, there is only internal communication going on, between the respondents, without providing legitimate relief to the applicant.

Applicant's Mother died on 18.3.2016 and more than 3 years have passed and yet respondents have not granted family pension. This is causing untold hardship to applicant, who is in no position to fend for himself because of being visually handicapped. Applicant was totally dependent on his parents and now after their death, his survival will hinge upon family pension, for which he claims he is eligible and has to be granted by the respondents as per rules. It is sad to note that though 3 years passed, yet the issue hangs fire.

(III) In view of the above, respondents are directed to process the case of the applicant by tracing the records submitted by him on top priority and grant family pension, if found eligible, as per extant rules, within a period of eight weeks from the date of receipt of a copy of this order.

(IV) With the above direction, the OA is disposed of at the admission stage. In case the applicant grievance continues to be unresolved, he is given liberty to approach this Tribunal, if he desires so, in accordance with law.

With the above directions, the OA is disposed of with no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

Dated, the 30th day of July, 2019

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