

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

Original Application No.21/722/2019

Date of Order: 16.08.2019

Between:

Smt. G. Janaki
W/o G. Laxminarayana, Group D
Aged about 44 years, Occ: Un-employee
R/o H.No.3-58, Indira Nagar Colony
Medchal Town and District.

.... Applicant

AND

1. Union of India, represented by its Director
General of Staff Duties SD=7 (Civ)
Integrated HQ of MoD Army, DHQ PO
New Delhi.
2. Station Commander
Head Quarters, Telangana and Andhra Sub Area
Bolarum, Secunderabad – 500 010.
3. SSO, Station Head Quarters Cell
Head Quarters, Telangana and Andhra Sub Area
Bolarum, Secunderabad 500 010.
4. Principal Controller of Defence Accounts
Draupadi Ghat, Allahabad 211014. ... Respondents

Counsel for the Applicant ... Mr.M . Srikanth

Counsel for the Respondents ...

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 father of the applicant died, while working as conservancy Safaiwala, on 19.8.1993. After father's death, mother of the applicant was granted family pension from 15.9.1994 onwards. Applicant being a widowed daughter, she and her mother were eking out a living with the family pension granted. Unfortunately, mother has also passed away on 30.9.2015 and thereafter applicant applied for family pension on 29.12.2017 along with the relevant documents. Till date, there has been no response and, hence, the OA.
4. The contentions of the applicant is that she is entitled for family pension as per Memo dated 11.9.2013. The financial condition of the applicant is such that her survival is dependent on the grant of family pension.
5. Though advance copy of the OA has been received by the concerned Standing Counsel on 08.08.2019, nobody appeared today, when the case was taken up for hearing for admission.
6. Heard the applicant counsel and perused the pleadings on record.
7. I) Applicant is in a pathetic situation wherein she has lost all her loved ones namely father, mother and her husband. On the demise

of her husband, she and her mother were living with the help of the family pension granted to her mother. After the death of her mother, according to the applicant, she is entitled to receive the family pension as per Rule 54 (6) of the CCS (Pension) Rules, 1972 which stipulates grant of family pension to eligible widowed/divorced daughters. Rule 54 (8) of CCS (Pension) Rules, 1972 further clarifies that the widowed daughter has to be granted family pension after the death of the spouse of the Government servant. Ministry of Personnel, Public Grievances and Pension's OM dated 11.9.2013 has stated that widowed daughter is eligible for family pension. Accordingly, a representation was made by the applicant on 29.12.2017, which is to be disposed. Nearly two years are going to lapse and, yet, the representation is claimed to have not been disposed. Family pension is vital for the sustenance of the applicant, given the circumstances in which she is placed. Any further delay in dealing with the matter will not be in the interest of justice.

II) Therefore based on the aforesaid, respondents are directed to dispose of the representation of the applicant by issuing a speaking and a well reasoned order, by keeping in view the latest rules and regulations on the subject. Time allowed is two months from the date of receipt of this order. Applicant is given the liberty to revert to the Tribunal if her grievance subsists, if she so desires.

III) With the above directions the OA is disposed of at the admission stage without going into the full merits of the case with no order as to costs.

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

Dated, the 16th day of August, 2019

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