

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

Original Application No.21/1059/2018

Date of Order: 15.07.2019

Between:

P. Dakshayani, W/o Late Shri P. Vijay Kumar
Aged 61 years, Occupation: Housewife
R/o H.No.238/191, R.R.Nagar
Opp: IDPL Colony, Begumpet
Secunderabad - 500 037. Applicant

AND

1. The Union of India represented by
The Secretary, Ministry of Defence
101-A, South Block, New Delhi.

2. The Commander Works Engineers
Air Force, Bowenpally
Secunderabad – 500 011. Respondents

Counsel for the Applicant Mr. A. Nagendra Rao
Counsel for the Respondents Mr. A. Nageswara Rao, Addl. CGSC

CORAM:

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

ORAL ORDER

2. The OA is filed for revision of family pension.

3. Brief facts of the case are that the husband of the applicant while working for the respondents organisation as Electrician passed away on 8.12.2009.

Pension Payment Order (in short, PPO) was issued sanctioning family pension in the grade pay of Rs.4200/- w.e.f 8.12.2009. On 10.1.2013, pay fixation was done under MACP as Rs.14,470/- with Grade Pay of Rs.4600/- w.e.f 1.9.2008 in Pay Band -2 of Rs.9300 – 34,800 and date of next increment as 1.7.2009. Applicant has represented on 18.7.2016 to revise family pension accordingly. As it was not done, OA is filed.

4. The contentions of the applicant are that as per part II order dated 10.1.2013 pay was revised under MACP and hence family pension has to be re-fixed. On hearing about pay revision, applicant represented immediately to the respondents for revising family pension but of no avail.

5. Heard the learned counsel for the applicant and none appeared for the respondents. Perused the pleadings on record.

6. I) The part II order issued by the respondents on 10.1.2013 fixed the pay of the deceased official w.e.f 1.9.2008 as Rs.15,050 + G.P of Rs.4600, whereas family pension continues to be paid based on the last pay drawn at the time of the death of the deceased. Applicant made a representation on 18.7.2016 to revise family pension, which is yet to be attended to by the respondents. Nearly 3 years have elapsed, after the representation has been made. Being a widow, who is badly in need of the enhanced family, procrastinating the matter further by awaiting a reply from the respondents would not be in the best interest of justice and respondents are, therefore, directed to dispose of the representation dated 18.7.2016 of the applicant as per extant rules governing family pension by issuing a speaking and a well reasoned order within a period of 10 weeks from the date of receipt of this order. Liberty is given to the applicant to approach the Tribunal, if in case the grievance persists.

II) With the above directions the OA is disposed of at the admission stage, with no order as to costs.

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

Dated, the 15th day of July, 2019

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