

Court No. - 20

Case :- WRIT - A No. - 9127 of 2023

Petitioner :- Kanti Tiwari

Respondent :- Union Of India Thru. Its Secy. Ministry Of Railway Deptt.
New Delhi And 2 Others

Counsel for Petitioner :- Ram Bali Tiwari

Counsel for Respondent :- A.S.G.I.

Hon'ble Manish Mathur,J.

Heard learned counsel for petitioner and Mr. S.B. Pandey learned Senior Counsel assisted by Mr. Varun Pandey, learned counsel for opposite parties.

Petition has been filed seeking a direction to the opposite parties for providing family pension to petitioner with effect from 10th December, 2020 along with interest on delayed payment.

It has been submitted that petitioner is the second wife of late Suresh Narain Tiwari who contracted marriage with petitioner after demise of his first wife. It is submitted that during life time of late Suresh Narain Tiwari proceedings under Section 125 Cr.P.C. were also initiated under which petitioner was received maintenance. Subsequently the deceased also executed a registered will deed in favour of petitioner on 11th March, 2019 in pursuance of which petitioner is seeking family pension since her husband passed away on 10th December, 2020.

For the aforesaid grievance, the petitioner has already submitted a representation dated 18th July, 2022 with a reminder on 11th September, 2023. At present learned counsel for the petitioner restricts his prayer for a final decision with regard to same.

Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case, opposite party No. 3 i.e. Manager, Regional Rail Northern Railway, Lucknow is directed to decide representation dated 18th July, 2022 after affording opportunity of hearing to all concerned within a period of six weeks from the date a certified copy of this order is submitted before him. The petitioner shall annex a copy of the aforesaid representation along with copy of this order. In case petitioner is found entitled for the aforesaid benefit, the said opposite party shall ensure payment to petitioner within a period of six weeks thereafter.

With the aforesaid observations, the writ petition stands **disposed of**.

Order Date :- 29.11.2023

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