

GAHC010219802023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5805/2023

MADHABI CHANGMAI
W/O- LATE KHAGEN CHANGMAI, VILLAGE- JEHENIA GAON, P.O.
SAMAGURI, P.S. AMGURI, DIST.- SIVASAGAR, ASSAM

VERSUS

THE UNION OF INDIA AND 6 ORS
THROUGH THE SECRETARY, GOVERNMENT OF INDIA, MINISTRY OF
RAILWAY DEPARTMENT, RAIL BHAWAN, NEW DELHI- 110001

2:THE CHAIRMAN
RAILWAY BOARD
MINISTRY OF RAILWAY DEPARTMENT
RAIL BHAWAN
NEW DELHI- 110001

3:THE GENERAL MANAGER
NORTH EAST FRONTIER RAILWAY
MALIGAON
GUWAHATI- 781011

4:THE FINANCIAL ADVISOR-CUM- CHIEF ACCOUNTS OFFICER
NORTH EAST FRONTIER RAILWAY
MALIGAON
GUWAHATI- 781011

5:THE DIVISIONAL RAILWAY MANAGER
TINSUKIA DIVISION
TINSUKIA
ASSAM
PIN- 786125

6:THE MANAGER
STATE BANK OF INDIA
CENTRALIZED PENSION PROCESSING CENTER
3RD FLOOR SHUVAM GREENS
LOKHRA CHARIALI
GUWAHATI-34

7:THE MANAGER
STATE BANK OF INDIA
CHAPANGANI
P.O. NAMATI
DIST.- SIVASAGAR
ASSAM
PIN

For the petitioner (s) : Mr. P.K. Gogoi, Advocate

For the Respondent(s) : Mr. S.S. Roy, CGC,
(Respondent nos. 1 to 5)

– BEFORE –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI

HON'BLE MR. JUSTICE KARDAK ETE

19.07.2024

(Vijay Bishnoi, CJ)

This writ petition is filed by the petitioner being aggrieved with the order dated 30.05.2023 passed by the Central Administrative Tribunal, Guwahat Bench, Guwahati (hereinafter to be referred as "CAT") in Original Application No. 129/2023, whereby the Original Application filed by the petitioner seeking a direction to the respondent/railways to grant for family pension has been dismissed.

The Tribunal has come to the conclusion that the petitioner has failed to

substantiate that her name was recorded in the service book as wife of the deceased employee. The Tribunal further observed that the first legally wedded wife of the deceased employee has already received family pension and that the identity of the petitioner as wife of the deceased employee is not reflected in the service book of the deceased employee.

While observing this, the Tribunal has dismissed the Original Application No. 129/2023 filed by the petitioner.

Having heard the learned counsel for the petitioner and after going through the material available on record, we do not find any illegality in the order passed by the CAT, as the petitioner has failed to furnish any proof that she is the legally wedded wife of the deceased employee.

Accordingly, this writ petition stands disposed of.

JUDGE

CHIEF JUSTICE

Comparing Assistant