

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3987 of 2000

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The Union of India, through the Divisional Railway Manager, North Eastern Railway, Sonapur Division, P.O.-Sonapur, District-Saran.

.... Petitioner.

Versus

Smt. Banarasi Devi, wife of Late Bindeshwar Singh, Ex. Casual carriage Khalasi, Barauni Junction, North Eastern Railway, resident of village & P.O.-Rahimapur, District-Vaishali.

.... Respondent.

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Appearance :

For the Petitioner : Mr. D.K. Sinha, Sr. Adv.

Mr. Mahesh Prasad, Adv.

For the Respondent : Mr. Amar Nath Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 28-04-2015

Heard Mr. D.K. Sinha, learned senior counsel on behalf of Union of India and learned counsel for the contesting respondent.

The Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as the 'Tribunal') by its order dated 24th of April, 1996 held the contesting respondent to be entitled to family pension and arrears thereof with interest. Railways paid the family pension but did not pay the interest. For payment of interest, an application was filed before the Tribunal for initiating contempt proceedings and the same was disposed of in the year 1999. It is thereafter in the year 2000 that this writ petition was filed by the Railways through Union of India challenging the

order passed in the year 1996 as well as the order subsequently passed in the year 1999 by the Tribunal.

Fifteen years have gone by, we therefore assume that the widow has been receiving family pension ever since and would in twilight of life be dependent thereon. It would not be in fitness of things now to interfere with the orders of the Tribunal.

We are, thus, not inclined to interfere in this matter. This writ application is, accordingly, dismissed.

(Navaniti Prasad Singh, J.)

(Rajendra Kumar Mishra, J.)

Trivedi/NAFR

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