

Court No. - 2

Case :- WRIT - A No. - 8109 of 2022

Petitioner :- Gobind Ram Bhugra

Respondent :- Union Of India Thru. Fa And Ceo /
Administration Northern Railway , New Delhi

Counsel for Petitioner :- Manoj Kumar
Dubey, Roopani Mishra

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

Hon'ble Devendra Kumar Upadhyaya,J.

Hon'ble Saurabh Srivastava,J.

Heard the learned counsel for the petitioner and
Shri S.B. Pandey, learned Senior Advocate,
representing the respondent.

By means of these proceedings instituted under
Article 226 of the Constitution of India, the
petitioner has challenged the order dated
10.10.2022 passed by the learned Central
Administrative Tribunal, Lucknow Bench, whereby
the Original Application filed by the petitioner
bearing no.332/00042/2021 has been dismissed.

Learned Central Administrative Tribunal has, while
dismissing the original application, observed that
in fact the Original Application filed by the
petitioner did not contain any relief.

The relief clause in the Original Application filed by
the petitioner as extracted from the order of the
Central Administrative Tribunal is quoted
hereunder:-.

"8. RELIEF SOUGHT

***(i) The applicant got second marriage with
Pratima Bhugra, childless widow. who was
residing to her inlaw's house in Moradabad
for the last 11 years and was without
adequate source of income.***

***(ii) By marrying with Mrs. Pratima Bhugra
who has become companion of her husband,
Sri G.R.Bhugra, enabled him to pass his
remaining retired life with dignity and has
become his old age companion at the age of
62 years. She has done nothing wrong. On***

the other hand she has helped the Government ex-employee to pass his remaining old age life with peace.

(iii) It is not out of place to mention that by getting 2nd marriage by the applicant with Mrs. Pratima Bhugra, nobody is at loss or affects anybody of his family. She has given her affection, love to applicant's both sons and their children (grandchildren). It is also clear that Government also wants that applicant's ex-wife Mrs. Usha Bhugra's hard earned pension may please be given to the genuine person, as per rule 100 (c) (i), mentioned above.

(iv) Both working husband and wife have to work hard and have to sacrifice many things, then only they become eligible for giving their children to lead their good life and to make their bright future.

(v) Dy. CAO/G cum CPIO's letters No. 96/ADMC/17/UB dated 12.11.2020, states

"(i) In terms of Railway Services (Pension) Rules 1973, payment of pension is not admissible to Sh. Deepak Bhugra."

From a bare perusal of the afore-quoted relief clause, we are unable to decipher as to what exactly the petitioner intended by filing the Original Application.

For the aforesaid reasons, we do not see any illegality in the order passed by the learned Central Administrative Tribunal.

The writ petition is, thus, **dismissed**.

Order Date :- 1.12.2022

N.PAL