

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

LIBRARY

O.A/350/1727/2019
M.A/350/1024/2019

Date of Order: 13.02.2020

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

1. Manoj Marandi, son of Late Nobesan Marandi, aged about 31 years, residing at Village Arjundih, P.O -Narayanpur, Jamtara, Narayanpur, Jharkhand - 815352.
2. Binod Marandi, son of Late Nobesan Marandi, aged about 23 years, residing at Village Arjundih, P.O -Narayanpur, Jamtara, Narayanpur, Jharkhand - 815352.
3. Vijoy Marandi, son of Late Nobesan Marandi, aged about 20 years, residing at Village Arjundih, P.O -Narayanpur, Jamtara, Narayanpur, Jharkhand - 815352.
4. Sonmuni Marandi, daughter of Jugal Marandi, aged about 40 years, residing at Village Charkipahari, P.O -Narayanpur, Jamtara, Narayanpur, Jharkhand - 815352.
5. Sonamuni Hembram, wife of Late Nobesan Marandi, aged about 38 years, residing at Village Charkipahari, P.O - Narayanpur, Jamtara, Narayanpur, Jharkhand - 815352.

--Applicants

-versus-

1. Union of India, service through the General Manager, Eastern Railway, 17, N.S Road, Fairlie Place Kolkata - 700001.
2. The Divisional Railway Manager, Eastern Railway, Asansol Division, Asansol, District: Paschim Bardhaman, Pin - 713301.
3. Senior Divisional Personnel Officer, Eastern Railway, Asansol Division, Asansol, District: Paschim Bardhaman, Pin - 713301.

--Respondents

For The Applicant(s): Mr. B. Chatterjee, counsel

For The Respondent(s): Mr. H. Ghosh, counsel

ORDER (ORAL)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both parties.

2. M.A 1024/2019 for joint prosecution is allowed. The applicants are allowed to pursue the remedy jointly.



B.

3. This O.A has been preferred to seek the following relief:

"a) An order directing the respondent authority to act in consonance with the R.B.E. Circular Letter No. E(W) 2007/CP-1/37 dated 10th January, 2011 being R.B.E No. 04/2011.

b) An order directing the respondent authority to release the Ex-Gratia amount in accordance with Law with an interest @ 12% calculated on the total compensation amount from the date of entitlement of the applicants herein.

c) An order do issue directing the respondent authority to consider the plea of the applicants for allowance on Ex-Gratia compensation against the demise of Jugal Marandi, the ex-employee on 9th October, 1999."

4. At hearing, Ld. counsel for the applicants submitted that the applicants have preferred representation dated 09.07.2018 Annexure A/4 to the O.A, to the respondent authorities but the same is pending disposal and that he would be fairly satisfied if a direction is issued to the respondent authorities to consider the same in a time bound manner.

5. Accordingly, without calling for reply, we dispose of the OA with a direction upon the competent authority to consider the representation, decide the claim of the applicants and issue a reasoned and speaking order in accordance with law within a period of 3 months from the date of receipt of copy of this order. In the event the applicants are found entitled to the relief as prayed for, an appropriate order in accordance with law be issued within the said period.

6. It is made clear that we have not entered into the merit of this matter and therefore, all points are kept open for consideration.

7. The present OA accordingly stands disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)