



**Central Administrative Tribunal
Principal Bench, New Delhi**

OA/100/219/2021

This the 01th day of February, 2021

(Through Video Conferencing)

HON'BLE MR. PRADEEP KUMAR, MEMBER (A)

1. Smt. Lata Devi, aged years
W/o Sh. RadhanCharan,
r/o RZ-185, PartapVihar Part-2
Kirarim Delhi-86
2. Sanjay, aged years
s/o Sh.RadhanCharan,
r/o RZ-185, PartapVihar Part-2
Kirarim Delhi-86

... Applicants

(By Advocate: Sh. Yogesh Sharma)

VERSUS

1. Union of India through the General Manager
Northern Railway, Baroda House, New Delhi
2. The Divisional Railway Manager,
Northern Railway, Delhi Division,
State Entry Road, New Delhi
3. The Senior Divisional Mechanical Engineer (Diesel),
DR Diesel Shed, Northern Railway,
Tugalakabad, New Delhi

... Respondents



(By Advocate: Sh. Krishna Kant Sharma)

ORDER (ORAL)

The applicant no. 1 is a widow of one Sh. Radha Charan who was working in Railway Department as Technician-III under Senior Section Engineer (G), Diesel Shed, Tugalakabad. The applicant No. 2 is the son of applicant no. 1 and said Sh. Radha Charan.

The said Sri Radha Charan, while he was on duty at 1100 hours on 18.08.2018, had disappeared from duty and his whereabouts are not known. A police report was also filed on 27.08.2018. However, till date, whereabouts of Sh. Radha Charan are not known.

The applicants plead that in terms of Railway Board's letter Number F(E)III/86/PN-1/17 dated 19.09.1986 followed by another policy instruction no. RBE No. 3/94 dated 21.01.1994, in such cases of missing staff, certain reliefs are required to be extended to the family after one year of the said missing incident. The applicant had already made a



representation on 30.08.2018 seeking such benefits.

However, the respondents have not replied so far.

The applicants further contended that provisional pension and certain other retiral dues including compassionate ground appointment, is required to be considered in favour of the affected family who have been left in the lurch. There has been no response to the said representation. Hence the OA.

2. Issue notice. Learned counsel Sh. Krishna Kant Sharma appears and accepts notice on behalf of respondents.

3. At this stage, learned counsel for the applicants submit that they would be satisfied if certain directions are issued to the respondents to pass a reasoned and speaking order on the pending representations in keeping with the policy directives dated 19/09/1986 and 21/09/1994 (Supra).

The Tribunal is of the view that no prejudice is likely to be caused to the respondents, if this request is agreed to.

4. In view of forgoing, the instant OA is disposed of at admission stage itself, without going into the merits of



the case, with a direction to the respondents, to pass a reasoned and speaking order on the pending representation dated 30.08.2018, duly keeping in view the policy directives dated 19.09.1986 and 21.09.1994 (Supra), within a period of eight weeks from the date of receipt of this order, under advice to the applicants. In case as a result of this examination, any payments/benefits become due to the applicants, the same shall also be released within a period of four weeks thereafter.

5. The applicants shall have liberty to approach the Tribunal if any grievance still subsists. No costs.

**(Pradeep Kumar)
Member (A)**

/sunita/sarita/jk/pinky/