

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

LIBRARY

O.A/350/1008/2020

Date of Order: 05.11.2020

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

Smt. Alo Chakraborty, daughter of Late Santimoy Chakraborty, aged about 47 years, by profession unemployed, residing at 24/G, Auddy Lane, Serampore, District Hooghly, Pin 712201.

--Applicant

-Vs-

1. Union of India, service through the General Manager, Eastern Railway, 17 N.S. Road, Kolkata – 700001.
2. Divisional Railway Manager, Eastern Railway, Howrah Division, DRM Building, Howrah – 711101.
3. Senior Divisional Personnel Officer, Eastern Railway, Howrah Division, DRM Building, Howrah – 711101.
4. Senior Section Engineer (loco), Eastern Railway, Howrah Division, Katwa, District – Burdwan, Pin 713130.

--Respondents.

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

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

ORDER (ORAL)

Per: Dr. Ms. Nandita Chatterjee, Member (A):

Aggrieved at not having received family pension, the applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

"a) An order directing the respondent authorities to disburse the Family Pension in lieu of the demise of Santimoy Chakraborty (since deceased), Ex-serviceman of the respondent authorities along with interest calculated thereon till the actual payment is made.

- b) an order directing the respondent authorities to produce/cause production of all relevant records.
- c) Costs.
- d) Any other order or further order/orders as to this Hon'ble Tribunal I may seem fit and proper."

2. Heard both sides, examined documents on record. This matter is taken up for disposal at the admission stage.

3. Ld. Counsel for the applicant would submit that the applicant's father, an ex employee of the respondent authorities, expired on 30.03.2020.

The applicant is the widowed daughter of the ex-employee, and hence, on 12.08.2020, had represented to the respondent authority praying for family pension. The respondent authorities, however, have neither considered nor responded to such representation, and, the applicant, who has been subjected to abject poverty, has approached this Tribunal praying for the above noted relief.

Ld. Counsel for the applicant would urge that a direction be issued to the concerned competent respondent authority to dispose of the pending representation in a time bound manner.

4. Ld. Counsel for the respondents, however, would submit that, on 4.11.2020, the respondents have sought certain details from the applicant and are awaiting the applicant's response.

5. As the applicant's prayer is being examined by the respondents, we would hereby direct the applicant to respond to the reference of the authorities, within 4 weeks of date of receipt of such communication. In the event the applicant's response is received, the competent authority shall decide on her prayer for family pension in accordance with law within a further period of 8 weeks thereafter and convey his decision to the applicant in the form of a reasoned and speaking order.

In case the applicant's entitlement is established, consequent benefits should be finalized within a further period of 10 weeks from the date of such decision.

6. With these directions, the O.A. is disposed of. There will be no orders on costs.

(Nandita Chatterjee)
Administrative Member

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(Bidisha Banerjee)
Judicial Member

SP

