

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the **05th** day of **April 2010**.

HON'BLE MR. S.N. SHUKLA, MEMBER- A

ORIGINAL APPLICATION NO. 551 OF 2005

Smt. Laxmina Devi W/o late Ram Brichha, R/o Godhna, P.O.
Mughalsarai, District Chandauli.

.....Applicant.

VERSUS

1. Union of India through the General Manager, E.C. Railway, Mughalsarai, District Chandauli.
2. The Divisional Railway Manager, E.C. Railway, Mughalsarai, District Chandauli.
3. The Dy. Chief Engineer (Con), E.C. Railway Mughalsarai, District Chandauli.

.....Respondents

Advocate for the applicant:

Sri Raj Nath Bhakta

Advocate for the Respondents :

Sri Madhur Prakash
Shri Neeraj Srivastava

ORDER

Heard Shri R.N Bhakta, learned counsel for the applicant and Shri Madhur Prakash, learned counsel for the respondents No. 2, 3 and 4.

2. This O.A. has been filed belatedly, however, considering the cause of action relates to the retiral dues on the death of husband of the applicant is considered as recurring cause of action and delay is condoned.



3. Late husband of the applicant was appointed as a Chaukidar under I.O.W., Mughalsarai. He was found dead on duty on 18/19.12.1989. It is also seen that his son was given compassionate appointment in the month of May 1993. However, it seems that in spite of repeated representation and reminders, no action has been taken on settlement of the dues of the deceased employee. The last such representation is stated to have been filed on 26.5.2004 (Annexure A-7).

4. Learned counsel for the applicant states that the grievance of the applicant may be redressed if he is allowed to file a written/comprehensive representation before the Concerned Authority, who shall pass a reasoned and speaking order on her representation regarding claim of dues as per law.

5. In view of the above, the applicant is allowed to file comprehensive fresh representation before the Competent Authority within four days of receipt of the order, if such representation is filed, the Competent Authority will decide the same and pass a reasoned and speaking order as per law/Rules within 8 weeks from the date of receipt of a certified copy of this order.

6. With the above directions, the O.A. stands disposed of.
No costs.



Member (A)

Manish/-