

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

LIBRARY

No. O.A. 350/00504/2021

Date of order: 16.4.2021

M.A. 350/00187/2021

Present : Hon'ble Dr. Nandita Chatterjee, Administrative Member

1. Balaram Das,
S/o Late Bishtu Das,
Residing at Panthapara, Ranaghat,
Dist. Nadia, Pin - 741232.
2. Sukumari Das
D/o Late Bishtu Das,
Residing at Panthapara, Ranaghat,
Dist. Nadia, Pin - 741232.
Aged about 50 years.
3. Jagata Das & Bhakta Das
Residing at Panthapara, Ranaghat,
Dist. Nadia, Pin - 741232.
Aged about 47 years.

..... Applicants.

Versus

1. Union of India,
service through the General Manager,
Eastern Railway, Fairlie Place,
17, N.S. Road,
Kolkata - 700001.
2. Divisional Railway Manager,
Eastern Railway,
Sealdah - 700014.
3. Sr. DPO Personnel Officer,
Eastern Railway, Sealdah,
Kolkata - 700014.
4. The Sr. Divisional Finance Manager,
Eastern Railway, Sealdah,
Kolkata - 700014.

..... Respondents

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For the Applicant : Mr. N. Roy, Counsel

For the Respondents : Mr. K.N. Bhattacharyya, Counsel

ORDER (Oral)

Dr. Nandita Chatterjee, Administrative Member:

The applicants have approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

- "a) To issue direction upon the respondent to consider the representation for settlement dues forthwith.
- b) To issue direction upon the respondent to give settlement dues along with other service benefit to the applicant forthwith.
- c) To issue direction upon the respondent to settlement for payment of interest forthwith.
- d) Any other order or further order or orders has learned Tribunal deem fit and proper.
- e) To produce Connected Departmental Record at the time of Hearing."

2. Heard both Ld. Counsel.

3. Ld. Counsel for the applicants would submit that the applicants' father was working as a Key Man with the respondent authorities. Their father having expired on 5.12.1992, their elder brother, Sankar Das was appointed on 23.5.1996 on compassionate grounds. The said Sankar Das, however, passed away on 22.5.2016, while working as a Peon with the respondent authorities.

The applicants had thereafter prayed for the settlement benefits on account of the demise of Sankar Das, duly acknowledged by the respondents at Annexure A-4 to the O.A.

The applicants had represented on 2016 and 2019 at Annexure A-5 and A-6 to the O.A. reiterating their prayers for settlement benefits, but, as such representations do not reveal that they had responded to the authority's

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requirement at Annexure A-4 to the O.A., Ld. Counsel for the applicant would seek liberty to withdraw this O.A. and to prefer a comprehensive representation to establish that all the requisites have been furnished to the respondent authorities to satisfy their claim for settlement dues.

4. The applicants are therefore permitted to withdraw this O.A. with liberty to prefer such comprehensive representation within four weeks from the date of receipt of a copy of this order and once so received, the addressee authority, or, any other competent authority, shall decide on the claim of the applicants, in accordance with law, and issue a reasoned and speaking order, within a period of 12 weeks.

In the event the claim of the applicants is found to be justified, resultant benefits should be disbursed within a further period of 10 weeks.

5. This O.A. and M.A. No. 350/00167/2021 are hence disposed of as withdrawn.



(Dr. Nandita Chatterjee)
Administrative Member

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