

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

No. O.A. 350/00786/2021

Date of order: 12.7.2021

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Prasanta Ghosh,
Son of Late Haran Chandra Ghosh,
Aged about 50 years,
Residing at Village and P.O. – Balitikuri,
Dist. – Howrah,
Pin – 711 113.

.... Applicant

VERSUS –

1. Union of India,
Service through the General Manager,
Metro Railway,
J.L. Nehru Road,
Kolkata – 71.
2. Dy. Chief Personnel Officer,
Metro Railway,
33/1, J.L. Nehru Road,
Kolkata – 71.
3. Sr. Personnel Officer,
Metro Railway Bhavan,
33/1, J.L. Nehru Road,
Kolkata – 71.

... Respondents

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Ms. S. Choudhry, Counsel

hcl

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

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

“(i) An order do issue directing the respondents to sanction Family Pension in favour of Shyama Ghosh, unmarried daughter of Haran Chandra Ghosh (since deceased) and to pay arrears of Family Pension in favour of the Legal Heir i.e. the applicant from 05.11.2013 till 16.01.2018 with interest.”

2. Heard both ld. Counsel, examined documents on record.

3. Ld. Counsel for the applicant would submit that the father of the applicant was working with the respondent authorities as a Store Watchman and had retired from service on 30.6.1998. When he passed away on 9.11.2011, the mother of the applicant became a family pensioner. Shyama Ghosh, who was the unmarried daughter of the ex-employee, prayed for family pension upon the expiry of her mother on 4.11.2013 in terms of Railway Board's circular dated 18.9.2007. Shyama Ghosh also submitted requisite documents as directed for by the authorities, but passed away on 16.1.2018, before her family pension could be finalized. Hence, the applicant, who is the brother of the deceased Shyama Ghosh, has now approached this Tribunal praying for sanction of family pension to Shyama Ghosh (since deceased) as well as arrears on account of such family pension.

4. During hearing; however, Ld. Counsel for the applicant would admit that there are certain incongruities in the representation annexed at Annexure A-7 to the O.A. and would hence seek liberty to withdraw the O.A. so as to prefer a comprehensive representation to the authorities seeking redressal of his grievances.

hsl

5. Accordingly, the applicant is permitted to withdraw this instant O.A. and to prefer a comprehensive representation to the competent respondent authority within a period of 6 weeks from the date of receipt of a copy of this order. Once so received, the said respondent authority shall decide on the same in accordance with law, and, convey his decision in the form of a reasoned and speaking order to the applicant within a period of 12 weeks thereafter.

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

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP