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CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH  
KOLKATA

OA. 350/795/2021

Date of order 15.07.2021

Present :Hon'bleMs.Bidisha Banerjee, Judicial Member



1. Sudesna Rana (Midya) widow of late Bibhas Midya presently and residing at 23/2/5, Nabanari Tala, 1<sup>st</sup> Bye Lane Baksara, Howrah, 711 110 as House wife.

.....Applicant

-versus-

1. Union of India, service through the Secretary of Ministry of Railway (Railway Board) Govt of India having its office at 256A, Rail Bhawan, Raisina Road, New Delhi-110 001.
2. General Manager, South Eastern Railway, Kharagpur, Post Office, Kharagpur, District - West Midnapore, Pin Code 721 301.
3. The Divisional Railway Manager (DRM) South Eastern Railway, Kharagpur, Post Office, Kharagpur, District- Paschim Midnapore, Pin Code - 721 301, West Bengal.
4. The Divisional Railway Manager (P) South Eastern Railway Kharagpur, Post Office Kharagpur District Paschim Midnapore, Pine Code 721 301, West Bengal.
5. Chief Personnel Officer, South Eastern Railway, Kharagpur, Post Office, Kharagpur, District West Midnapore, Pin Code 721 301.

.....Respondents.

For the Applicant

: Mr. S. Dutta and Mr. B.Basak, Counsel

For the Respondents

: Mr. Debu Choudhary, Counsel

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O R D E R. (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard both parties.

This matter has been taken up by the Single Bench in view of the revised list dated 04.04.2000 issued under Sub section (6) of Section 5 of the Administrative Tribunal Act. 1985 and as no complicated question of law is involved, matter is taken up for disposal with the consent of both the parties.



2. This OA has been filed to seek the following reliefs:

*"8(a) An order commanding the respondents their men, agents and servants and each of them to act in accordance with law.*

*(b) An Order commanding the respondents, their men, agents and servants to disburse/release all the pension, gratuity and other emoluments that the applicant is entitled to in respect of her deceased husband late Bibhas Midya i.e the deceased railway servant as per norms laid down in the Railway Service (Pension) Rules, 1993 alongwith interest from the date of default.*

*(c) An Order commanding the respondents; their men, agent and servants to pay interest upon delayed payment of pension, gratuity and other emoluments that the applicant is entitled to.*

*(d) Costs of Litigation*

*(e) Such other or further order or orders as to this Hon'ble Tribunal may deem fit and proper."*

3. During the course of hearing, learned counsel for applicant submitted that applicant would be satisfied, if a direction is issued to the respondent authorities/competent authority to consider the representation of applicant, and after according an opportunity of personal hearing to issue a reasoned and speaking order within a stipulated time frame.

4. Learned counsel for respondents would submit that he has no objection if such direction is given to consider as per applicable rules.

5. In view of the above, O.A. is disposed of with direction to the respondents/competent authority to accord a personal hearing to the applicant, consider his representation and issue a reasoned and speaking order within a period of one month from the date of receipt of copy of this order. It is made clear that I have not entered into the merit of the matter.

6. Accordingly, the OA is disposed of. No costs.



  
(Bidisha Banerjee)  
Member (J)

Mks