

2/12

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

O.A. No.350/00704/2020.
M.A. 617/2020

Date of order : This the 2nd Day of December, 2020.

Hon'ble Mrs. Bidisha Banerjee, Judicial Member

Hon'ble Dr (Ms) Nandita Chatterjee, Administrative Member

Sri Ujjal Kumar Nandi,
son of Lt. Birendra Kr. Nandi,
aged about 61 years,
worked as S.R. Passenger Guard,
under Station Manager,
under Easterns Railway, Sealdah Division, Sealdah,
Kolkata - 700014;
Presently residing at c/o, Archana Chowdhury,
Vill. Parbatipur, P.O. Pritinagar,
P.S. Ranaghat,
Dist. Nadia, Pin - 741 247, West Bengal.

..... Applicant.

By Advocate Mr T.K. Biswas, Mr K. Chakraborty &
Mr J.R. Das

-Versus-

1. The Union of India,
through the General Manager,
Eastern Railways,
17, N.S. Bose Road, Fairly Place,
Kolkata - 700 001;
2. The Principal Chief Personnel Officer,
Eastern Railway,
Eastern Railway HQ (Fairly Place)
17, N.S. Bose Road, Fairly Place,
Kolkata - 700 001;
3. The Divisional Railway Manager,
Eastern Railway, Sealdah Division,
At DRM's Office Sealdah,
Kaisher Street,
Kolkata - 700014;
4. The Sr. Divisional Personnel Officer,
Eastern Railway, Sealdah Division,
At DRM's Office Sealdah,
Kaisher Street, Kolkata - 700014;



16

5. The Sr. Divisional Finance Manager,
Eastern Railway, Sealdah Division,
At DRM's Office Sealdah,
Kaisher Street, Kolkata – 700014.

.....Respondents.

By Advocate Mr K.N.Bhattacharjee.

ORDER (ORAL)



Ms Bidisha Banerjee, Member(J)

The applicant in this O.A has sought for the following reliefs :

"8.a) It is, therefore, prays that your Lordships may graciously be pleased direct the respondents, their officers, agents, sub-ordinates to take immediate and/or appropriate steps to release all retirement benefit and pension of the applicant, which he legally entitled to enjoy as the retired employee under the respondents, with all arrears/dues if any with usual bank interest for delayed payment and further directing them to start all current payments towards the claim of the applicant as retired person, forthwith;

b) The respondents may be directed to produced or cause to be produced by records of the case before this Hon'ble Tribunal, so that conscionable justice may be done by quashing and/or setting aside the same;

c) Any other appropriate order or orders as to Your Lordships may seem fit and proper."

2. The applicant's wife namely, Smt Barnali Nandi has preferred M.A.617/2020 to get added as party respondents in the O.A, on the ground that the applicant has been residing separately and does not look after her or render any financial assistance to the family. She has also alleged that savings bank account has been opened at State Bank of India, Belgachia Duttabagan Milk Colony Branch bearing A/C No.38926243996 in their joint name but that was never opened with her consent. No joint photograph was used for opening of the account and that although the Bank authorities have regularised the process, the Railway authorities have refused to accept her joint photograph with her husband for the purpose of issuance of PPO and

15

therefore, she would face serious problem in future to get her due benefits in the event the applicant pre deceased her.

3. Ld. Counsel for the applicant would, on the contrary, assert that the papers have been maintained correctly by the Railway authority as well as bank and therefore there was no reason for the applicant to get added as party respondent with an apprehension of being deprived of her due benefits after her husband's demise.



4. We heard the Ld. Counsel for the parties, having noted the dispute raised by the M.A petitioner, which may pose problem for her to get the family pension after the demise of the applicant No.1, we permit M.A applicant to be added as party respondent and dispose of the O.A with a direction to give personal hearing to the applicant as well as to the M.A applicant, to consider her claim with sympathy and to pass appropriate orders in accordance with law, so that the applicant's PPO is finalised, and his pension is released at the earliest, and paid regularly and upon ascertaining the genuinity of the MA applicant as wife of the applicant, to entertain her claim for inclusion of her name in the pension papers of the applicant, so that in future she would not be deprived of her dues arbitrarily. Let appropriate orders be issued within 3 months from the date of receipt of a copy of this order to either of the parties.

5. O.A and M.A are accordingly disposed of. No order as to costs.

(DR NANDITA CHATTERJEE)
MEMBER (A)

(BIDISHA BANERJEE)
MEMBER (J)