

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH  
KOLKATA



OA. 350/1111/2020

Date of order: 01.02.2021

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

Dipa Gautam, aged about 62 years, retired  
as Peon on 31.10.2018 under the Respondents  
and residing at Flat No. 406, Bally Hapta Bazar,  
80, Bireswar Chatterjee st. P.O. Bally, Pin- 711201.

.....Applicant.

-versus-

1. Union of India through the General Manager,  
Eastern Railway, 17, N.S. Road, Calcutta-  
700001.
2. The General Manager, Eastern Railway, 17,  
N.S. Road, Calcutta- 700001.
3. The Principal Chief Personnel Officer, Eastern  
Railway, 17, N.S. Road, Calcutta- 700001.

.....Respondents.

For the Applicant : Mr. N. Roy, Counsel

For the Respondents : Mr. K. Sarkar, Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard both.

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

*"8(i) A direction upon the respondents and specially respondent no. 3 to determine and waive off/relax the stipulation/condition of the rules based on the reality of her grievance as detailed in para 4.5 to para 4.7 above and pay her fixed medical allowance w.e.f March, 2019 since she opted for after*

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*surrendering railway out-door medical facility for her life time, together with litigation cost as prayed for in para 8 above.*

*(ii) A direction upon the respondents to produce relevant documents in this matter including Railway Board's order No. RBE 107/2002 as mentioned in Respondent's letter dated 12.03.2019 (annexure 'A-1').*

*(c) Any other order or orders be given as this Hon'ble Tribunal deems fit and proper.*

*(d) An order do issue directing the respondents to consider the representation submitted by the applicant within stipulated time."*

3. Since the applicant has preferred a representation on 08.02.2020 followed by reminders dated 21.09.2020 and 03.10.2020 and seeking the same benefits as in the OA, which representation is yet to be disposed of, and since no fruitful purpose would be served by calling for a reply in this matter unless the representation is decided by the respondent authorities, we propose to dispose of the OA at the admission stage itself.

4. Accordingly, we direct the concerned respondents authority or any other competent authority to consider the grievance of the applicant, as highlighted in her representation dated 08.02.2020, after proper verification and <sup>and B</sup> <sub>B</sub> decide the same in accordance with law issuing an appropriate reasoned and speaking order, within a period of 2 months from the date of receipt of copy of this order.

5. It is made clear that we have not entered into the merits of this matter and therefore, all points are kept open for consideration.

6. The present OA accordingly stands disposed of. No costs.

*(Dr. Nandita Chatterjee)*  
*Member (A)*

*(Bidisha Banerjee)*  
*Member (J)*

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