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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

Original Application No.337 of 1992.

DATE OF DECISION: JULY 27, 1993

Sub-permanent Way Inspector and others ... Applicants.

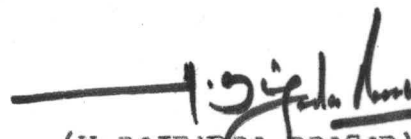
Versus

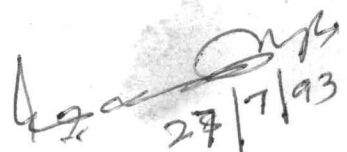
A.B.Tandia and another ...

Respondents.

(FOR INSTRUCTIONS)

1. Whether it be referred to the Reporters or not ? No
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not ? No


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)
27.7.93


(K. P. ACHARYA)
VICE-CHAIRMAN.

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CUTTACK BENCH: CUTTACK.

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and others ...

Applicant.

Versus

A.B. Tandia and another ...

Respondents.

For the applicants ...

Mr. D. N. Misra,
Standing Counsel (Railway)

For the Respondent No. 1 .. M/s. Somanath Mishra,

P. K. Mohapatra,
K. N. Samantray, Advocates.

C O R A M:

THE HONOURABLE MR. K. P. ACHARYA, VICE-CHAIRMAN

A N D

THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

J U D G M E N T

K. P. ACHARYA, V.C.,

Annexure-1 under which the Commissioner for Workmen's Compensation and Assistant Labour Commissioner, Jeypore, has passed an award, is under challenge. The Union of India, being represented by Sub-Permanent Way Inspector, South Eastern Railway, has filed this original application to quash Annexure-1 under which an amount of Rs. 41,596/- has been ordered to be paid to the Respondent No. 1 namely Anila Bathi Tandia, whose husband is said to have died during the course of employment. Mr. D. N. Misra, refuted the allegation that

the husband of Respondent No.1 had not died during the course of employment .

2. Admittedly, the Railway authorities have not been heard by the Commissioner. We also do not lack in experience that there is always feeble response from the Officers of the Railway Administration . But on that account due to the laches on the part of the Officers the whole organisation namely the Administration should not suffer.

3. We therefore remand this case to the Commissioner with a direction that the parties would appear before the Commissioner on 16.8.1993 and the Commissioner would hear both parties on merits of the case and pass orders according to law.

4. This order is passed after hearing Mr.D.N.Misra, learned Standing Counsel(Railways) and Mr.Somanath Misra, learned counsel for Respondent No.1.

5. Thus, this application is accordingly disposed of.
No costs.

.....27.7.93
MEMBER (ADMIN)

Central Admn. Tribunal,
Cuttack Bench, Cuttack.
July 27, 1993/Saranghi.



.....27.7.93
VICE-CHAIRMAN