

Mr. D.P. Dhalsamanta

CAT/J/JII

(A) THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O.A./T.A./R.A.No..... 291/1996

Smt. Shaila Motapah Applicant(s)

VERSUS

Union of India Respondent(s)

Sr. No.	Date	Order with Signature
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REGISTER

S.  
Registrar

1 31-5-96 Heard Shri D.P.Dhalsamant, learned counsel for the applicant. The brief facts leading to this application are that on the applicant's husband's appeal the Railway Board passed orders removing him from service order of substituting the punishment of compulsory retirement passed earlier. The husband of the applicant filed an application before this Bench in OA No.11/89 against the above order and by judgment dated 9.11.1990 this Tribunal quashed the order of removal passed by the Railway Board with direction that the applicant would be at liberty to raise the contentions before the Railway Board. In the meanwhile the applicant's husband superannuated on 31.7.1990. The Railway Board processed the disciplinary proceedings and decided to release the provisional pension and pay from the date also decided of superannuation and the intervening period from the date of removal to the date of superannuation

1 PO f8 R850/-  
has been filed

DB  
30/5/96

for Regn Pl.

DB  
30/5/96 Munshi  
30.05.96

Regd Encl  
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for Admn. Pl.

DB  
30/5/96 Bench

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Serial No. of Order	Date of Order	Order with Signature
		<p>as deemed suspension and paid 50% subsistence allowance for the period. This was done by an order dated 9.2.1991. The applicant's husband expired on 4.12.1991. In view of the death of the applicant's husband, the Railway Board dropped the disciplinary proceedings against him and directed that the retirement benefits be settled according to CPO/GRC's Confidential letter No.DCPO(G)/Com/MPM/447/Pt.II dt.19.6.92. He was treated as retired from service on superannuation with effect from 31.7.1990. The grievance of the wife in this application is that till now she has not received the retirement benefits and pension. To this effect she has made a representation before the Deputy C.P.O.(Gaz.), S.E.Railway, vide Annexure-4 dated 12.10.1995. There is also a letter Annexure-2 addressed by the D.R.M.(P), Khurda Road, dated 25.11.1994 to the F.A. &amp; C.A.O.(Pension), S.E.Railway, Garden Reach, Calcutta-700 043, who is respondent No.4 in the Original Application, highlighting the entire background of the case and also annexing all documents and instructions in this regard. Shri Dhalsamant, learned counsel for the applicant, says that so far this letter has not been acted upon and the applicant has not received the retirement benefits which she sought for.</p> <p>This application can be disposed of by giving a suitable direction to respondent No.4, the F.A. &amp; C.A.O.(Pension), S.E.Railway, Garden Reach, Calcutta-700 043. I accordingly direct the Respondent No.4 to focus on Annexure-2, the letter of the D.R.M., Khurda, dated 25.11.1994 which contains all the necessary documents, for payment of retirement dues to the family of late M.P.Mohapatra, ex-Head-</p> <p><i>2/5/2</i></p>

(A)

Serial  
No. of  
Order

Date of  
Order

Order with Signature

master(Gaz.) and dispose of the claim of the applicant within a period of 60(sixty) days from the date of receipt of a copy of this order. A copy of this order along with the copy of the Original Application will be despatched to Respondent No.4 for compliance with the direction of this Tribunal.

The Original Application is disposed of.

*K. Venkateswaran*, 31/5/96,  
MEMBER (ADMINISTRATIVE)

Order no. 1  
Dt. 31.5.96

A copy of the  
Order may be given  
to both the  
Councils.

Abd  
5/6/96

Abd  
C. O. 31/5/96

Recd a copy  
*R*  
6/6/96.

Order no. 1 may be given  
along with O.A.  
copy of order of dt. 31.5.  
96 may be sent to  
R-4 as per order.

*Abd*

5. 8. 96.

5. 8. 96.