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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 474 OF 2006
CUTTACK, THIS THE 22nd DAY OF October, 2007

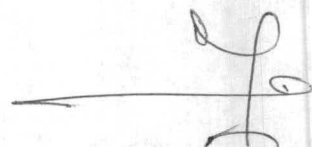
Kandhei Applicant

Vs.

Union of India & Others.....Respondents

FOR INSTRUCTIONS

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


(M.R. MOHANTY)
VICE-CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL
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ORIGINAL APPLICATION NO. 474 OF 2006
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CORAM:

HON'BLE MR. M.R. MOHANTY, VICE-CHAIRMAN

.....

Kandhei, aged about 58 years, W/o. late Bisia, Ex-Bridge Khalasi under Chief Bridge Inspector/Reg/East Coast Railway/Jenapur permanent resident of Village Dahipur, P.O./Via. Jenapur, P.S. Dharmasala, Dist. Jajpur.

.....Applicant

Advocate(s) for the Applicant - M/s. N.R. Routray, S.Mishra.

VERSUS

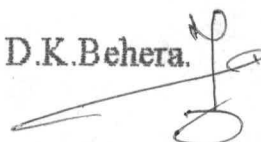
1. Union of India service through General Manager, E.Co.Rly.
2. Chief Administrative Officer, (Con.), East Coast Railway.
3. F.A. & C.A.O. (Con.), East Coast Railway.
4. Sr. Personnel Officer (Coordn.), East Coast Railways.
5. F.A. & C.A.O., East Coast Railways.

Respondent No. 1 to 5 are At: Rail Vihar, Chandrasekharpur, Bhubaneswar, Dist. Khurda.

6. Bridge Inspector/Reg./East Coast Railway, At/P.O. Station Bazar, Town/Dist. Cuttack.
7. Sr. Divisional Financial Manager, E.Co.Rly., Khurda Road Division, Jatni, Dist. Khurda.

.....Respondents.

Advocate(s) for the Respondents - Mr. D.K. Behera.



ORAL ORDER

SHRI M.R.MOHANTY, VICE-CHAIRMAN :

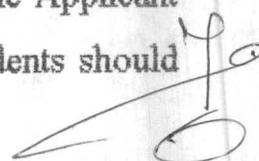
Heard Mr. N.R.Routray, Ld. Counsel appearing for the Applicant and Mr. D.K.Behera, Ld. Counsel appearing for the Railways/Respondents and perused the materials placed on record.

2. Non-payment of family pension and DCRG of Late Bisia Jena @ Biswanath Jena, ex-Bridge Khalasi under CBRI (Reg.)/Jenapur is the subject matter of this O.A. filed under Section 19 of the Administrative Tribunals Act 1985.

3. In their reply/Counter filed on 29.01.2007, the Respondents disclosed that the case of the Applicant (for payment of family pension and DCRG) was being processed and due to administrative reasons it may take six months time for finalizing the same. In the meantime eight months have already lapsed and it is reported by the counsel for both the parties that the Respondents have not yet been able to finalize the matter relating to release of family pension and DCRG.

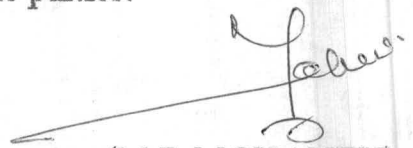
4. The claim of family pension and DCRG are not in dispute and are to be paid to the Applicant and unexplainable delay is not to be tolerated in any manner.

5. In the aforesaid premises, this O.A. is hereby allowed with direction to the Respondents to release arrear family pension and DCRG to the Applicant before end of December, 2007. The Respondents should



release current family pension, in favour of the Applicant, from the end of the month of November, 2007. For delayed payment of family pension and DCRG, the Respondents should pay interest at the rate of 9% p.a. Cost is assessed at Rs. 1000/- to be paid to the Applicant (by the Respondents) by end of December, 2007.

Send copies of this order to the Applicant and to the Respondents in the address given in the Original Application, and free copies of this order be also given to the Ld. Counsels for both the parties.


(M.R. MOHANTY)
VICE-CHAIRMAN