

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH; CUTTACK.

ORIGINAL APPLICATION NO. 80 OF 2002
Cuttack, this the 21st day of March/03

Sukha Mahanta. Applicant.

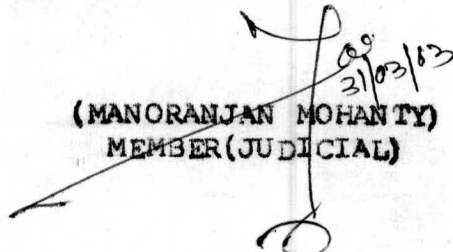
Versus

UOI and Others. ... 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 Tribunal or not? No.


(B.N. SOM)
VICE-CHAIRMAN


(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)

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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 80 OF 2002.
Cuttack, this the 31st day of March/03

C O R A M:

THE HONOURABLE MR. B. N. SOM, VICE-CHAIRMAN

AND

THE HONOURABLE MR. MANORANJAN MOHANTY, MEMBER (JUDL.).

...

Sukha Mahanta, Aged about 71 years,
W/o. Late Gangadhar Mahanta,
resident of village: Dhanpur,
PS: Betnoti, Dist. Mayurbhanj.

.... Applicant.

By legal practitioner: Mr. K. B. Panda,
Advocate.

:Versus:

1. Union of India represented by its General Manager,
South Eastern Railway, Garden Reach, Kolkata-43.
2. Financial Adviser-Cum-Chief Accounts Officer,
South Eastern Railway, Garden Reach, Kolkata-43.
3. Divisional Railway Manager, South Eastern Railways,
At/Po: Kharagpur, West Bengal.
4. Senior Divisional Personnel Officer,
South Eastern Railways,
At/Po: Kharagpur, West Bengal.
5. Permanent Way Inspector (Rupsa),
South Eastern Railways,
At/Po: Rupsa, Dist. Balasore.

.... Respondents.

By legal practitioner: Mr. D. N. Mishra,
Standing Counsel.

O R D E R

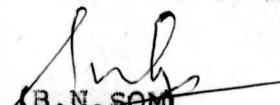
MR. MANORANJAN MOHANTY, MEMBER (JUDICIAL) :

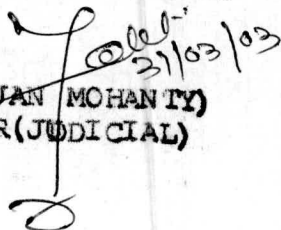
Non-payment of the ex-gratia pension to the widow (Applicant) of an ex-railway employee is the subject matter of grievance in this Original Application under Section 19 of the Administrative Tribunals Act, 1985. Since the Respondents, by filing a reply, have disclosed that the Applicant, though is entitled to get the ex-gratia pension w.e.f. 1.1.1986 the same had not been released to her; as she did not comply the procedure required for getting the same.

2. It is not required to deal with the merit of the case; because on the strength of the interim orders dated 25-02-2002 of this Tribunal, the payments have already been made to the Applicant by the end of April, 2002.

3. However, as regards the prayer for payment of interest the Respondents have thrown the blame on the Applicant. The Respondents have not given any explanation as to why they did not utilise the services of their welfare Inspector for redressal of the grievances of the Applicant. In this view of the matter, having heard learned counsel for both sides, we find considerable force in the contention of the applicant for payment of interest on the delayed payment of ex-gratia pension and, in the said premises (by applying the decision rendered in O.A.No. 79/2002 disposed of today) the Respondents are hereby directed to pay interest (at the rate of 6% per annum w.e.f. 1.1.1986 till actual payment is made) to the

Applicant on the amount of ex-gratia paid to her. The Respondents are further directed that all the benefits as due to the Applicant (including interest) should be released in her favour within a period of 90 (ninety) days from the date of receipt of a copy of this order. In the result, this Original Application is disposed of in terms of the observations and directions made above. No costs.


(B.N. SOM)
VICE-CHAIRMAN

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(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)
31/03/03