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O.A. No. 439 of 2007

Smt. Ch. Ammalu.....Applicant

Vs

Union of India & Ors. Respondents

Order dated: 21.04.2010

CORAM:

Hon'ble Mr. B.V.Rao, Member(Judl.)

&


Hon'ble Mr. C.R.Mohapatra, Member (Admn.)

This O.A. has been filed by the widow of the deceased Railway-employee seeking the following reliefs:

“(a) to pass appropriate orders directing the Respondents-Railways to fix the Scale of pay of the late husband of the applicant properly pursuant to the recommendation of the Fifth Central Pay Commission w.e.f. 1.1.1996:

(b)to pass appropriate orders directing the Respondents-Railways to refix the family pension and be paid to the applicant arising out of such refixation;

(c) to pass appropriate orders directing the Respondents Railways to release the Medical Allowance of Rs. 100/- (Rupees One Hundred) only per month w.e.f. 1.12.1997, to which she is eligible and entitled”



2. By filing counter, the Respondent-Railways have submitted that the grievance of the applicant regarding payment of dues have already been settled and there remains nothing more to be adjudicated by this Tribunal. In support of their plea, the Respondents have annexed Annexure-R/1 dated 18.01.2008 to the counter.

3. We have heard Shri B.S.Tripathy, Ld. Counsel for the applicant and Shri D.K.Behera, Ld. Additional Standing Counsel appearing for the Respondents and perused the materials placed on record.

4. In view of the statement made by the Respondents, in our considered view, there is nothing more to be adjudicated by this Tribunal. However, Ld. Counsel for the applicant submits that the applicant would like to refer a representation to the Respondents detailing the dues, if any, accrued to her for being considered by the Respondent-Department. Ld. Counsel for the Respondents has no objection to this.

5. In consideration of the above, the Respondents are directed, in case the applicant prefers a representation within two weeks from the date of receipt of this order, to consider and dispose of the same and communicate the

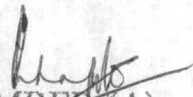


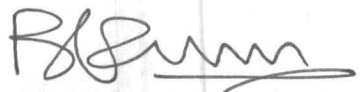
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decision taken thereon within a period of 45 days from the date of receipt of such representation.

6. With the above observation and direction, the O.A. is disposed of. No costs.


MEMBER (A)


MEMBER (J)

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