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O.A. No. 820 of 2010

Jobeda Bibi Applicant

Vs

UOI & Ors. Respondents

1. Order dated: 6th July, 2011.

C O R A M

THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (ADMN.)

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Applicant's claim in this OA is that she is the wife of Late Sk.Munia who while working as Ex-Erector bearing Ticket No. 12326 under the Chief Works Manager (Wagon), South Eastern Railway (West Bengal) retired from service on 30.6.1955 and died on 15.10.1975 . As such her claim is that she being the legally married wife of Sk.Munia, is entitled to ex-gratia pension which has not been paid to her despite repeated requests/ protracted correspondence and representation at Annexure-A/3, dated (nil). Counter has been filed by the Respondents and the matter has come up for hearing.

2. At this stage, Learned Counsel for the Applicant submits that as the representation at Annexure-3 is pending consideration before the Workshop Personnel Officer, S.E.Railway, Kharagpur who is Respondent No.5 in this OA, he will be satisfied if a direction is issued to him to consider and dispose of the said representation with a reasoned order. Learned Counsel for the Respondents vehemently objected to such stand of the Applicant by stating that since counter has already been filed in this the matter can be heard and disposed of on merit. I do not find that any prejudice would be caused to the Respondents if such a direction is issued to the Respondent No.5 especially because this being a claim of payment of ex gratia to the applicant who is aged about 97 years old.

3. In view of the above, without going into the merit of the matter this OA is disposed of with direction to the Respondent No.5 to consider the pending representation of the applicant at Annexure-5 and communicate the decision upon such consideration in a well reasoned order to the Applicant within a period of sixty days from the date of receipt of copy of this order. Parties to bear their own costs.


(C.R. Mohapatra)
Member (Admn.)