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M.Panda-Vrs-UOI/Rly

HEARING No.5

O.A.No.341/11

Advocate(s)- M/s.N.R.Routray,
S.Mishra,
T.K.Choudhury,
S.K.Mohanty

Advocate (S)- Mr.M.K.Das

ORDER dated 24th April, 2013.

CORAM
HON'BLE MR.A.K.PATNAIK, MEMBER(JUDL.)
HON'BLE MR. R.C.MISRA, MEMBER (ADMN.)

Mr.N.R.Routray, Learned Counsel for the Applicant instead of pressing his grievance raised in this OA, taking into consideration the plight and the age of the widow/applicant, has fairly sought leave of this Tribunal to pursue her grievance before the General Manager, ECoRly, Bhubaneswar/Respondent No.1 by way of making exhaustive representation for grant of the relief as has been granted to similarly situated widow ^lin pursuance of the order of the Ernakulam Bench of the Tribunal dated 23.11.2001 in OA No. 170/2001 and finally upheld by the Hon'ble Apex Court.

[Signature]

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2. We have heard Mr.N.R.Routray, Learned Counsel for the Applicant and Mr.M.K.Das, Learned Counsel appeasing for the Respondent-Railway on the above context. Mr. Das, Learned Counsel appearing for the Respondent-Railway has no serious objection for granting leave to the applicant to pursue her grievance by way of making representation before the Respondent No.1. We also find logic on the said submission of Mr. Routray, Learned Counsel for the Applicant as the GM, ECoRly has inherent power to remove injustice, if caused, to someone.

3. Therefore, without expressing any opinion on the merit of the matter, we deem it proper to dispose of this OA with direction that if the Applicant makes a representation to Respondent No.1, the same shall be considered and disposed of through a reasoned and speaking order within a period of 60 days from the date of receipt of such representation, under intimation to the Applicant. We hope and trust, while considering the representation of the Applicant, Respondent No.1 shall

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also take into consideration the order of the Ernakulam Bench of the Tribunal and the fact that the applicant is a widow of 60 years of age having no other source of livelihood. Ordered accordingly. There shall be no order as to costs.


(R.C.Misra)
Member (Admn.)


(A.K.Patnaik)
Member (Judl.)