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O.A. No. 853 of 2011

Kanakalata Patra & Anr. Applicant

VS

Union of India & Ors. Respondents

Order dated: 10.01.2012

CORAM:

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

&

Hon'ble Shri A. K. Patnaik, Member(Judl.)

Heard Mr. D.K. Biswal, Ld. Counsel for the applicants and Mr. S.K. Ojha, Ld. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served.

2. Having heard Ld. Counsel for the parties, M.A. 24/12 filed by mother and son to jointly prosecute this case is allowed.

3. Applicant No.1, the widow of late Dibakar Patra EXHCC/SSP who was working under Respondent No.2, has filed this O.A. seeking the following relief:

“.....to direct the Opp. Parties to release the service benefits of late Dibakar Patra in favour of the applicant No.1 and to give compassionate appointment to applicant No.2 in any post under Group-C or Group-D post under the Railways”.

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4. With regard to information sought under R.T.I.,

vide Annexure-3 dated 01.09.2011 (filed under Annexure-

A/7 series to this O.A.) following information has been

provided by the Respondents:

"The query regarding settlement payment of Late Dibakar Patra, Ex. Hd.CC/SSP dated 08.12.08- It is stated that death benefit such as GPF, DCRG and Family pension has not sanctioned in favour of anybody. As the first wife of the deceased employee Smt. Kanaklata Patra and her children have not submitted necessary papers for payment of settlement dues. In absence of proper claim by the family of the deceased the final settlement case could not be processed".

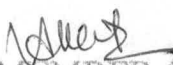
In view of the above, the applicants seek liberty to approach the authorities along with necessary documents in support of their claim..

5. Having heard Ld. Counsel for the parties, without going into the merit of this case, we allow the applicants to file their claim before the authorities within 15 days. If such a claim is made, the Respondent No.3 is directed to consider the same and pass a reasoned order within a period of 60 days from the date of receipt of the copy of this order.

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6. Copy of this order, along with paper book, be sent to Respondent No.3 by Speed Post at the cost of the applicant. Ld. Counsel for the applicant undertakes to deposit the postal requisites by 12.01.2012.

7. Free copies of this order be also handed over to the Ld. Counsel appearing for the parties.


MEMBER (Judl.)


MEMBER (Admin.)

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