

3

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O.A.No.859 of 2016

Cuttack this the 6<sup>th</sup> day of December, 2016

CORAM

HON'BLE SHRI A.K.PATNAIK, MEMBER(J)

Gitanjali Biswal, aged about 48 years, W/o. late Nimai Chandra Biswal, At-Terma, PO-Baghuni, PS/District-Kendrapara

...Applicant

By the Advocate(s)-Mr.P.K.Chand

-VERSUS-

Union of India represented through:

1. The General Manager, Eastern Railway, Fairly Palace, Kolkata (W.B)
2. The Workshop Personnel Officer, Eastern Railway, At/PO-Kanchrapara, PS-Bizapur, District- 24 Pragana (N), West Bengal
3. The Chief Workshop Manager, Eastern Railway, At/PO-Kanchrapara, PS-Bizapur, District- 24 Pragana (N), West Bengal
4. Sr.Section Engineer, Workshop, Eastern Railway, At/PO-Kanchrapara, PS-Bizapur, District- 24 Pragana (N), West Bengal

...Respondents

By the Advocate(s)- Mr.T.Rath

ORDER(Oral)

A.K.PATNAIK, MEMBER(I):

Heard Mr.P.K.Chand, learned counsel for the applicant and Mr.T.Rath, learned Standing Counsel for the Respondents on whom a copy of this O.A. has been served on the question of admission and perused the records.

2. Applicant is the wife of the deceased railway employee, who, while working as Technician-III under the Section

*Shree*

Engineer(Workshop), Kanchrapara, Eastern Railway, passed away on 28.11.2011. She has moved this Tribunal in the instant O.A. seeking direction to be issued to respondent-railways to release/disburse the settlement dues and death benefits in her favour with 10% interest.

2. It is the case of the applicant that even after compliance of all the requirements as directed by the respondents from time to time, her settlement dues are not being released in her favour. It has been submitted by the applicant that even after submission of representations to all the respondents, no action is being taken by them and therefore, she is being deprived of her rightful dues.

3. It reveals from the record that venting her grievance applicant has submitted a representation to the General Manager, Eastern Railway, Kolkata (A/15) followed by another representation to the Workshop Personnel Officer, Eastern Railway, which are stated to be pending. In view of this, I am not inclined to admit this O.A. thereby requiring the respondents to file their counter. Accordingly, without expressing any opinion on the merit of the matter, I would direct Respondent Nos. 1 and 2 to consider and dispose of the aforesaid representations, if pending at their level, in the light of the extant rules and instructions and pass an appropriate orders within a period of sixty days from the date of receipt of this order under intimation to the applicant. It is, however,



5

- 3 -

made clear that if the applicant in the process is found to be entitled to the claim as laid in the O.A., the same shall be released in his favour within a further period of two months from the date of communication of the decision on the appeal preferred by the applicant.

4. With the aforesaid observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

5. On the prayer made by the learned counsel, copy of this order along with paper book of O.A. be sent to Res.Nos. 1 and 2 by Speed Post at the cost of the applicant, for which Mr.P.K.Chand undertakes to file the postal requisites by 7.12.2016

6. Free copy of this order be made over to learned counsel for both the sides.

  
(AK.PATNAIK)  
MEMBER(J)

BKS