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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.882 of 2016

Cuttack this the 14th day of December, 2016

CORAM

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

Karuna Lakra, aged about 50 years, W/o. late Dharmasi Lakra,
At/PO/PS-Biramitrapur, RMC No.100 of 2015, District-
Sundargarh

...Applicant

By the Advocate(s)-M/s.D.R.Pattnaik

N.Biswal

L.Pattnaik

-VERSUS-

Union of India represented through:

1. The General Manager, S.E.Railway, Garden Reach, Kolkata
2. Sr.Divisional Personnel Officer, S.E.Railway,
Chakradharpur, AT/PO-Chakradharpur, Singhbhum,
Bihar
3. Divisional Operations Manager, S.E.Railway,
Chakradharpur, At/Po-Chakradharpur, District-
Singhbhum, Bihar

...Respondents


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

ORDER(Oral)

A.K.PATNAIK, MEMBER(D):

Heard Mr.D.R.Pattnaik, learned counsel for the applicant
and Mr.T.Rath, learned Standing Counsel for the Railways, 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 deceased railway employee. It is
the case of the applicant that during the life time of her



husband, a disciplinary proceeding had been initiated against him and on conclusion of the same, he was removed from service. However, 2/3rd pension was granted in favour of her husband during the year 2005.

3. Grievance of the applicant is that by now 11 years are going to be over, but no retiral benefit has been given in her favour nor any appointment on compassionate ground was extended to her son. Ventilating her grievance, applicant had submitted a series of representation for grant of pensionary benefits, but all her efforts went in vain. However, consequent upon direction issued by the PMO's office, applicant having been called upon to submit some documents, she did so. But since it did not yield any fruitful result, applicant has moved this Tribunal in this O.A. seeking the following relief.

- i) To direct the respondents to grant family pension to the applicant as per the order in Annexure-1 with interest @ 19% p.a.
- ii) To direct the respondents to grant appointment to the son of late D.Kakra under R.A.Scheme
- iii) To grant interest on the entire pension granted in favour of the applicant from 2005-2016.
- iv) To allow the O.A.
- v) To pull such other order/direction as deemed fit and proper.

4. It appears from the record that ventilating her grievance applicant has submitted a representation dated 13.02.2016 (A/6) followed by another representation dated

Wills

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12.04.2016(A/7) to the to the Senior Divisional Personnel Officer, S.E.Railway, Chakradharpur (Res.No.2) 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 No. 2 to consider and dispose of the aforesaid representations, if pending at his level, in the light of the extant rules and instructions and pass an appropriate orders within a period of three months from the date of receipt of this order under intimation to the applicant. It is, however, made clear that if the applicant in the process is found to be entitled to the claims as laid in the O.A., the same shall be released in her favour within a further period of two months from the date of communication of the decision.

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

6. On the prayer made by the learned counsel, copy of this order along with paper book of O.A. be sent to Res.No. 2 by Speed Post at the cost of the applicant, for which Mr.D.R.Pattnaik undertakes to file the postal requisites by 19.12.2016

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


(AK.PATNAIK)
MEMBER(J)