

3

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

Original Application No. 260/00429 of 2015  
Cuttack, this the 17<sup>th</sup> day of July, 2015

**CORAM**  
**HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)**

.....

Abanti Barik,  
aged about 58 years,  
Widow of Late Gouranga Charan Barik,  
Ex- Caretaker-I, CC/East Coast Railway, BHC,  
Permanent resident of Vill/PO- Baralapokhari,  
PS/Dist- Bhadrak, Odisha,

...Applicant

(Advocates: M/s. N.R.Routray, T.K.Choudhury )

**VERSUS**

Union of India Represented through its

1. General Manager,  
East Coast Railway, E.Co.R. Sadan,  
Chandrasekharapur, Bhubaneswar,  
Dist-Khurda.
2. Senior Divisional Personnel Officer,  
East Coast Railway, Khurda Road Division,  
At/PO- Jatni, Dist-Khurda.
3. Sr. Divisional Mechanical Engineer,  
East Coast Railway, Khurda Road Division,  
At/PO- Jatni, Dist-Khurda.
4. Sr. Divisional Financial Manager,  
East Coast Railway, Khurda Road Division,  
At/PO- Jatni, Dist-Khurda.

... Respondents

(Advocate: Mr. T.Rath )

.....



**ORDER (ORAL)**

**R.C.MISRA, MEMBER (ADMN.):**

Heard Mr. N.R.Routray, Ld. Counsel for the Applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. It is the case of the applicant that her husband, who has expired in the year 2012, was entitled to grant of second and third financial upgradation under MACP Scheme on completion of 30 years of qualifying service as on 01.09.2008. However, the authorities having not sanctioned the same during the lifetime of her husband, the applicant has raised this claim before the authorities and, accordingly, has moved this Tribunal in the present O.A. The next point raised by the applicant is that because of non-sanctioned of second and third financial upgradation in favour of her husband, the consequential financial benefits like arrear salary, pension are also not being paid to the applicant. The Ld. Counsel for the applicant submitted that the applicant has made a representation to the Sr. DPO, E.Co.Rly, Khurda Road (Respondent No.2) raising this claim on 02.03.2015 followed by another representation dated 25.05.2015.

3. Although the point remains unanswered as to why the applicant's husband did not raise this claim during his lifetime, after hearing the Ld. Counsel for both the sides and without entering into the merit of the matter, I direct Respondent NO.2 to consider the aforesaid representation of the applicant as per the extant rules and pass a reasoned and speaking order and communicate the same to the applicant within a period of 60 days from the date of receipt of a copy of this order.



4. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

5. On the prayer made by Mr. Routray, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No. 2 by Speed Post for which he undertakes to file the postal requisites by 21.07.2015.



(R.C.MISRA)  
MEMBER(Admn.)

RK