

4

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00464 of 2015
Cuttack, this the 31st day of July, 2015

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)

.....

Kanchal Biswal,
aged about 34 years,
Widow of Late Udayanath Biswal,
Ex- Khalasi Helper under
SSE/TRD/E.Co.Railway/Cuttack,
Permanent resident of Vill- Baghua,
PO- Bari Thengerh, PS- Badachana,
Dist- Jajpur, Odisha.

...Applicant

(Advocates: M/s. N.R.Routray, U.Bhatta, S.Sarkar, Smt. J. Pradhan,
S.K.Mohanty)

VERSUS

Union of India Represented through its

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

... Respondents

(Advocate: Mr. T.Rath)

.....



ORDER (ORAL)

A.K. PATNAIK, MEMBER (JUDL.):

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. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 praying for the following reliefs:

“(i) To direct the Respondents to issue PPO, release the death-cum-financial benefits i.e., Leave Salary, DCRG, CGEGIS, PF and Family Pension as per Railway Servant Pension Rule 2008 with 12% interest for the delayed period of payment.

And pass any other order.....”

3. Applicant is stated to be the widow of late Udayanath Biswal, who while working as Khalasi Helper under SSE/TRD/E.Co.Rly/Cuttack died prematurely on 12.02.2013 leaving behind the applicant, two unmarried daughters, two minor sons and widow mother. Applicant's husband was initially appointed in the S.E.Railway on 16.04.2001 as a regular Khalasi in Khurda Division and, after his death on 12.02.2013, the applicant approached the Respondents department for grant of family pension and other dues. Having received no response, she has moved this Tribunal in O.A. No. 260/00790 of 2014, which was disposed of on 12.11.2014 with the following directions:

“.....without entering into the merit of this matter, this OA is disposed of at this admission stage with direction to Respondent No. 2 to consider the grievance of the applicant as referred by her in his representation, if the same is still pending, and communicate the decision thereof, in a well-reasoned order to the applicant within a period of 60(sixty) days

Allo

from the date of receipt of copy of this order. If upon such consideration applicant is found to be entitled to the benefits claimed by her then expeditious steps be taken by the Respondents to extend the same to the applicant within a period of 90 days from the date of such consideration.....”

Pursuant to the aforesaid direction, Respondents-authority considered applicant's representation and passed an order dated 29.01.2015 (Annx. A/6) and advised her to submit the requisite documents as sought for under the Office Letter dated 27.11.2014 and 20.01.2015 in order to process the legitimate dues as per rule.

4. Mr. Routray, Ld. Counsel for the applicant, submitted that the applicant vide representation dated 25.05.2015 under Annexure-A/7 submitted the required documents before Respondent No.2 and prayed for release of family pension but the same is still pending consideration.

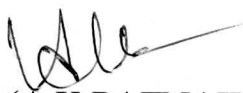
5. Since the representation of the applicant along with required documents, filed pursuant to the direction of Respondent No.2, is stated to be pending with the authorities, I dispose of this O.A. with direction to the Respondent No.2 to consider the representation, if at all pending, and communicate the result thereof to the applicant in a well reasoned order within a period of one month from the date of receipt of a copy of this order. If after such consideration the applicant is found to be entitled to the relief claimed by her then expeditious steps be taken within a further period of two month to grant the same to the applicant. However, the points raised by the applicant in her representation are kept open for the authorities to consider the same as per law. If in the meantime the said representation has already



been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of a copy of this order.

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

7. 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 07.08.2015.


(A.K.PATNAIK)
MEMBER(Judl.)

RK