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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

Original Application No.260/00471 of 2015
Cuttack, this the 28th day of August, 2015

CORAM
HON'BLE MR. R.C. MISRA, MEMBER (A)

Smt. Kanti Devi,
aged about 57 years,
W/o. Late Lal Bihari Prasad,
At present residing at Railway Colony,
Qr. No.C/51/12, Jharsuguda,
Dist-Jharsuguda

...Applicant

(Advocate: M/s. P.K. Nayak, H.B. Dash, A.C.R. Das)

VERSUS

Union of India Represented through

1. General Manager, S.E. Railway,
Garden Reach, Kolkata
2. The Divisional Railway Manager,
Chakradharpur Division,
S.E. Railway,
Jharkhand-833102.
3. The Sr. Divisional Personal Officer,
Chakradharpur Division,
S.E. Railway,
Jharkhand-833102.
4. The Sr. Divisional Electrical Engineer,
Chakradharpur Division,
S.E. Railway,
Jharkhand-833102.
5. The Personal Inspector (Welfare),
S.E. Railway, Rourkela,
Odisha-769001.
6. The Sr. Section Electrical Engineer,
S.E. Railway, Jharsuguda,
Odisha-768201
7. Pramila Devi,
Aged about 28 years,
W/o-Late Muna Prasad,
Vill-Bijoli, Po-Caurabahaz,
PS-Barhaj, Dist-Deoria, U.P.

... Respondents

(Advocate: Mr. T. Rath)



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ORDER (Oral)

R.C. MISRA, MEMBER (A)

The applicant in the present O.A. is one Smt. Kanti Devi who has challenged the alleged inaction of the Respondents-Railways in not releasing the outstanding dues of his son viz., Muna Prasad who was working as Helper in Electrical(G) Department under S.E. Railway at Jharsuguda. The said Muna Prasad expired on 16.11.2014 leaving behind two daughters and widow mother. It is submitted that his wife, namely Gudi Prasad had died earlier. The present applicant along with two minor daughters are the legal heirs who are entitled to get the death and other service benefits of late Muna Prasad. The applicant has made several representations to the authorities for release of dues to which the legal heirs are entitled, but the authorities have so far not taken any steps to disburse the amount. It is further alleged that one Pramila Devi claiming to be the second wife of late Muna Prasad has also made a representation to the authorities for releasing the service as well as death benefits of late Muna Prasad in her favour. The latest representation made by the present applicant is dated 15.12.2014 which is addressed to the Divisional Railway Manager, Chakradharpur Division, S.E. Railway (Respondent No-2) in this O.A. and the same is said to be pending with the authorities.

2. Having heard the Ld. Counsels for both sides, I have perused the records.
3. Representation made by the legal heirs claiming death benefits is a matter to be disposed of in the light of the extant rules and regulations. According to the submission made by the Ld. Counsel for the applicant, a representation has been made to the Respondent No.2 which is pending for disposal. I therefore, consider it appropriate that in the first instance

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the Railway Authorities should consider the pending representation in the light of existing rules and dispose of the matter with a reasoned and speaking order within a period of sixty days from the date of receipt of copy of this order. I have therefore not gone into the merit of this case, and the matter is first left to Respondents-Authorities to take a decision on the same. If the applicant is found to be eligible to receive the benefits then the same may be disbursed within a period of another sixty days from the date of passing a speaking order.

4. With this observation and direction the O.A. is disposed of at the stage of admission itself. No order as to costs.

5. On the prayer made by Sri P.K. Nayak, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent No.2 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 02.09.2015.


(R.C. MISRA)
MEMBER(A)

K.B.