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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00709 OF 2015

Cuttack, this the 26th day of October, 2015.

CORAM

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

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

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Malati Mallik, Aged about 57 years, Widow of Late Murali Mallik, Ex-Gangman/Section Engineer (P.Way)/ECoR/KBJ, permanent resident of Vill.-Kuamanga, P.O.-Gothina, P.S. Raghunathpur, Dist.-Jagatsinghpur, Odisha.

.....Applicant

(Advocate: M/s. N.R. Routray, S. Sarkar, U. Bhatt, J. Pradhan, S.K. Mohanty, T.K. Choudhury)

VERSUS

Union of India Represented through

1. The General Manager,
East Coast Railway, E.Co.R. Sadan,
Chandrasekharapur, Bhubaneswar,
Dist-Khurda.
2. Divisional Railway Manager,
East Coast Railway,
Sambalpur Division,
At-Khetraipur, P.O-Modipada,
Town/Dist-Sambalpur.
3. Senior Divisional Personnel Officer,
East Coast Railway,
Sambalpur Division,
At-Khetraipur, P.O-Modipada,
Town/Dist-Sambalpur.

... Respondents

(Advocate: Mr. T. Rath)

ORDER (Oral)

A. K. PATNAIK, MEMBER (J):

Heard Mr. N.R. Routray, Ld. Counsel appearing for the Applicant and Mr. T. Rath, Ld. Standing Counsel appearing for the Respondents-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 seeking the following relief:

“ (a) To direct the Respondents to grant invalid pension in favour of Sri Murali Mallik from July, 2007 and pay the arrear pension till January, 2014 & release the retirement financial benefits with 12% interest for the delayed period;
(b) To direct the Respondents to grant family pension from January, 2014 and pay the arrears with 12% interest for the delayed period;

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3. Mr. Routray, Ld. Counsel for the applicant submitted that alleging non consideration of the case of the applicant for the aforesaid relief as claimed by her, the applicant submitted representation dated 15.06.2015 (Annexure-A/8) to Respondent Nos.2 & 3. It has further been submitted that till date no response has been received by the applicant on his representation. Hence, the applicant has filed this O.A. with the prayer as aforesaid.

4. Since the representation submitted by the applicant is stated to be pending, without entering into the merit of this case, we dispose of this O.A at the stage of admission by directing Respondent Nos.2 & 3 to consider the representation dated 15.06.15 (Annexure-A/8) if the same is still pending, as per the extent Rule and regulation and communicate the result thereof to the applicant by way of a reasoned/ speaking order within a period of sixty days from the date of receipt of copy of this order. If, after such consideration it is found that the applicant is entitled to the relief claimed by her then the same may be extended to her within a further period of 03 (three) months from such consideration. Though we have not expressed any opinion on the merit of the case, we make it clear that all the points raised in the representation will be kept open for the Respondents to consider the same as per rules, regulations and law in force. However, it is made clear that if the said representation dated 15.06.2015 (Annexure-A/8) has already been disposed of then the result of the same may be communicated to the applicant within a period of 15 days.

5. In the result, the O.A. is disposed of at the stage of admission itself. No costs.

6. 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 Nos.2 & 3 by Speed Post for which Mr. Routray undertakes to file the postal requisites by 30.10.2015.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)