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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00957 OF 2015

Cuttack, this the 19th day of January, 2016

CORAM

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

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

.....
Kumari Sara Murmu@ Arati Murmu, aged about 31 years, D/o Late Thumpu Murmu, At- Anko (Rupsa Railway Colony), P.O.- Rupsa, District- Balasore, Odisha

Applicant

By the Advocate(s)-M/s. S.C. Samantray, S. Swain, U.K. Mishra, M. Satpathy and H.H. Pati.

-Versus-

Union of India represented through:

1. The General Manager, South Eastern Railway, Garden Reach, Kolkata, West Bengal.
2. The Divisional Railway Manager, South Eastern Railway, Kharagpur, Dist. Midnapur West, West Bengal.
3. The Divisional Personnel Officer, Eastern Railway, Kharagpur, Dist Midnapur West, West Bengal.
4. The Senior Divisional Engineer(Co), South Eastern Railway, Kharagpur, Dist- Midnapur West, west Bengal.
5. The Senior Divisional Finance Manager, South Eastern Railway, Kharagpur, Dist Midnapur West, West Bengal.
6. Assistant Divisional Engineer, Balasore, South Eastern Railway, At/Po/Dist- Balasore, Odisha.

Respondents.

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

ORDER (ORAL)

A.K.PATNAIK, MEMBER (J):

Heard Mr. S.C. Samantray, 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 with the following prayer:-

- “(i) To direct the respondents to sanction and release the family pension in favour of the applicant with arrears and interest;
- (ii) Direct the respondents to release the DCRG shares for the legal heirs of Late Thumpu Murmu, Ex-Senior Gang Man, under PW1/ROP with interest;”




3. Mr. Samantray, Ld. Counsel for the applicant submitted that due to non-consideration of the case of the applicant for the aforesaid relief as claimed by her, the applicant submitted representation dated 10.06.2011 (Annexure-A/8) to Respondent No.3 followed by another two representations dated 24.07.2013 & 25.02.2015 (Annexure-A/9) series. It has further been submitted that till date no response has been received by the applicant on her representations. Hence, the applicant has filed this O.A. with the prayer as aforesaid.

4. Since the representations 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 No.3 to consider the representations dated 10.06.2011 (Annexure-A/8) followed by another two representations dated 24.07.2013 & 25.02.2015 (Annexure-A/9) series, if the same are still pending, as per the extant Rule and regulation and communicate the result thereof to the applicant by way of a reasoned/speaking order within a period of 03 (three) months 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 matter, we make it clear that all the points raised in the representations 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 in the meantime the said representations have already been disposed of then the result of the same be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order.

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

6. On the prayer made by Mr. Samantray, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No.3 by Speed Post for which Mr. Samantray undertakes to file the postal requisites by 25.01.2016.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)