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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00124 of 2015
Cuttack, this the 8th day of May, 2015

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

Laxmi Jena,
aged about 60 years,
W/o- Late Surendra Nath Jena, (Ex-T.M.),
At:- Patara, Po-Barunsingh, Via-Sergarh,
Dist-Balasore.

.....Applicant

Advocate(s).....M/s. D.Pattnaik, N. Biswal, N.S. Panda, L. Pattanayak

VERSUS

Union of India represented through

1. Chief General Manager,
BSNL, Orissa,
At/Po-Bhubaneswar,
Dist-Khurda.
2. Controller of Communication Accounts,
Orissa Circle, Bhubaneswar,
At/Po-Bhubaneswar,
Dist-Khurda.
3. Deputy General Manager BSNL, (CFA),
o/o-GMTD, BSNL, Balasore,
At/Po/Dist-Balasore.

..... Respondents

Advocate(s).....M/s. P.R. Barik, P. Choudhury, D.K. Mallick
.....

ORDER (ORAL)

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

Heard Mr. N.Biswal, Ld. Counsel for the applicant, Mr. P.R.Barik, Ld. Counsel appearing for the BSNL (Respondent Nos. 1 and 3), and Mr. D.K.Mallick, Ld. Addl. Central Govt. Standing Counsel appearing for Respondent No.2. Copies of this O.A. have already been served on Mr. Barik and on Mr. Mallick.



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 disburse all retiral benefits of her husband late Surendranath Jena as well as Family Pension in favour of the applicant within a time framed by the Hon'ble Tribunal.

(ii) To direct the Respondents to pay interest @ 12% to the applicant since no Pensionary benefit has been disbursed in favour of the applicant even though the deceased Govt. Servant had died on 17.06.2011.

(iii) To direct the Respondent No-2 to dispose of the Representation of the dated - 20.11.2014 under Annexure-8.

(iv) To pass such order/directions as deemed fit and proper.

(v) To allow the original application."

3. The case of the applicant in nutshell is that after the death of her husband, who while working as T.M. under Respondent No.3 died on 17.09.2011, she applied for the family pension enclosing certain documents on 15.03.2012. However, vide Annexure-A/6 dated 25.04.2012, Respondent No.3 asked the applicant to produce Succession Certificate. The grievance of the applicant is that though the applicant made representation before Respondent No.2 on 31.07.2014 vide Annexure-A/7 followed by another representation dt. 20.11.2014 vide Annexure-A/8 till date no action has been taken by the said Respondent for redressal of her grievance.

4. Taking into account the submission made by Ld. Counsel for the applicant, without expressing any opinion on the merit of the case, I dispose of this O.A. at this admission stage by directing Respondent No. 2 to consider and dispose of the representation dated 20.11.2014, if the same has been filed and is still pending consideration, and pass a well reasoned 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. However, the points raised by the applicant in her representation are kept open for the



authorities to consider the same as per the law and rules in force. It is made clear that 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 90 days from the date of such consideration to extend the same to her. However, 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.

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

6. On the prayer made by Mr. Biswal, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 2 and 3 by Speed Post for which he undertakes to file the postal requisites by 12.05.2015.


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

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