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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.447 of 2016

Cuttack this the 14th day of July, 2016

CORAM

HON'BLE SHRI R.C.MISRA, MEMBER(A)
HON'BLE SHRI S.K.PATTNAIK, MEMBER(J)

Droupadi Jena, aged about 49 years, Widow of late Prafulla Kumar Jena, Ex-Khalasi Helper under SSE (C&W) , E.Co.Rly., Puri – permanent resident of Vill-Khapuriapada, PO-Bandallo, PS-Bhandaripokhari, Dist-Bhadrak, Odisha

...Applicant

By the Advocate(s)-M/s.N.R.Routray, Smt.J.Pradhan, S.K.Mohanty, &
T.K.Choudhury

-VERSUS-

Union of India represented through:

1. The General Manager, E.Co.Rly, E.Co.R.Sadan, Chandrasekharpur, Bhubaneswar, Dist-Khurda
2. Divisional Railway Manager, E.Co.Rly., Khurda Road Visiion, At/PO-Jatni, Dist-Khurda
3. Senior Divisional Personnel Officer, East Coast Railway, Khurda Road Division, At/PO-Jatni, Dist-Khurda

...Respondents

By the Advocate(s)_Mr.T.Rath



ORDER(Oral)

R.C.MISRA, MEMBER(A):

Heard Mr.N.R.Routray, learned counsel for the applicant and Mr.T.Rath, learned Standing Counsel for the respondent-railways on the question of admission and perused the records.

2. Applicant is the wife of a deceased railway employee. It is submitted by the applicant that her husband while ^{working} as Khalasi Helper under SSE(C&W), East Coast Railways passed away on 27.01.2012. According to applicant, because of prolonged illness her husband remained absent from service with effect from 31.03.2010 to 26.05.2011. Even though this was intimated to the immediate authority, but, a memorandum of charge dated 20.06.2011 was issued to her husband by the then Divisional Mechanical Engineer, East Coast Railways. However, while the matter stood as such her husband passed away on 27.01.2012.

3. Grievance of the applicant is that she had submitted a representation dated 30.5.2016 to respondent nos. 2 and 3 making a prayer therein for releasing family pension and other retiral benefits in her favour on the ground that her husband was a regular employee and had served for 28 years in the East Coast Railways. According to applicant, she is not aware of the action taken in pursuance of Memorandum issued to her husband nor has she



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received any reply in response to her representation dated 30.5.2016. This is the background why the applicant has approached the Tribunal in this O.A.

4. We have considered the rival submissions. In consideration of submissions made by the learned counsel for both the sides, without expressing any opinion on the merit of the matter, we would direct res.no.3 to consider and dispose of the representation dated 30.5.2016, if it is pending at his level, in accordance with rules and instructions and communicate the decision thereon to the applicant in a reasoned and speaking order within a period of sixty days from the date of receipt of this order.

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

6. On the prayer made by the learned counsel, copy of this order along with paper book of O.A. be sent to res.no.3 by Speed Post at the cost of the applicant for which Mr.N.R.Routray undertakes to file the postal requisites by 18.7.2016.

7. Free copy of this order be made over to learned counsel for both the sides.

S.K. Pattnik
14/7/16
(S.K.PATNIK)
MEMBER(J)

R.C. Misra
(R.C.MISRA)
MEMBER(A)

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