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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00720 OF 2016
Cuttack, this the 20th day of October, 2016

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

Bhanu Bewa @ Baral,
aged 80 years,
W/o-Late Narana,
resident of Madhupur,
P.O.-Brajamohanpur,
Dist-Khurda.

.....
...Applicant

(By the Advocate-M/s. V. Narasingh, S. Das, S. Devi)

-VERSUS-

Union of India Represented through

1. General Manager, East Coast Railway, Rail Bihar, At/Po./PS-Chandrasekhpur, Bhubaneswar, Dist-Khurda.
2. Divisional Railway Manager, East Coast Railway, Khurda Road, Dist-Khurda, Orissa.
3. Divisional Personnel Officer, East Coast Railway, Khurda Road, Dist-Khurda, Orissa.

.....
...Respondents

By the Advocate- (Mr. T.Rath)

.....
O R D E R (ORAL)

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

Heard Mr. V.Narasingh, Ld. Counsel for the Applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

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2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 praying the following relief:

- “i) Admit the Original Application;
- ii) Call for the Records;
- iii) And direct the Respondents authorities to grant and disburse pension and other benefits to which the applicant is entitled to with interest within a stipulated period.
- iv) And/or pass any other appropriate order(s)/direction(s) as this Hon’ble Tribunal deems fit and proper in the fact and circumstances of the case.”

3. The case of the applicant, who is 80 years of age, is that she is the widow of Late Narana, who was working as casual labourer under the Respondent-authorities since 24.12.1966 and, was subsequently appointed as Gangman on 26.03.1969. Applicant’s husband while working as such died on 17.08.1972 leaving behind the applicant (widow) and six minor children. The grievance of the applicant is that although the provident fund amounting to Rs. 535/- was paid to her but pension and other service benefits were not given for which she represented the departmental authorities time and again but to no avail. Mr. Narasingh, Ld. Counsel for the applicant, has brought to my attention the latest representation of the applicant made to the DRM, E.Co.Railway (Respondent No.2) on 21.02.2016 under Annexure-A/4 series and submitted that till date no reply has been received from the said Respondent No.2 and the applicant’s grievance more or less can be satisfied if a direction is issued to Respondent No.2 to consider the representation preferred by the applicant on 21.02.2016 by taking into account the facts and law.

4. In view of the above, without going into the merit of the matter and looking at the age of the applicant, I dispose this O.A. at this admission stage with direction to Respondent No.2 to consider the said representation, if

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so pending, and pass a reasoned and speaking order taking into account the rules and regulations in force and communicate the result thereof to the applicant within a period of three months from the date of receipt of a copy of this order and intimate the same to the applicant. I make it clear that I have not expressed any opinion on the merits of the matter and all the points raised in the said representation are kept open for the authorities to consider as per rules and regulations in force, however, if after such consideration the applicant is found to be entitled to the benefits claimed by her then expeditious steps be taken within a further period of two months from the date of such consideration to extend those benefits to the applicant.

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

6. Copy of this order along with paper book be communicated to Resp. No. 2 by Speed Post at the cost of the applicant for which Mr. Narasingh, Ld. Counsel for the applicant, undertakes to file the postal requisites by 25.10.2016. Free copy of this order be also given to Mr. T.Rath, Ld. Standing Counsel for the Railways.


(A.K.PATNAIK)
MEMBER (J)