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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A. No.443 of 2013

Cuttack, this the 12th day of July, 2013

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

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

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Archana Panda, aged about 39 years, Wife of Late Ajaya Kumar Panda of Village Kanragohiri, PS.Khantapada, Dist. Balasore at present Qr.No.649/8, Retang Colony, PO/PS-Jatni, Dist. Cuttack.

....Applicant

(Advocate(s):-Mr.N.Panda)

-Versus-

Union of India represented through –

1. The General Manager East Coast Railway, Samanta Vihar, Bhubaneswar-751 017, Dist. Khurda.
2. The Divisional Railway Manager (P), East Coast Railway, Khurda Road Division, At/Po-Jatni, Dist. Khurda.
3. The Senior Divisional Personnel Officer, O/O the DRM (P), Khurda Road, Railway Division, East Coast Railway, At/Po.Jatni, Dist. Khurda.

....Respondents

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

0 R D E R

(02)

A.K. PATNAIK, MEMBER (J):

Alleging to be the wife of Late Ajaya Kumar Panda, the Applicant has filed the instant OA challenging the action of the Respondents in not disbursing the dues to which she is entitled to

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under Rules being the legally married of Late Ajaya Kumar Panda.

In this OA the prayer of the Applicant is for a direction to the Respondents to release all the dues including family pension in her favour forthwith.

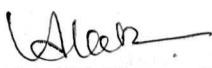
2. We have heard Mr.N.Panda, Learned Counsel for the Applicant and Mr. T.Rath, Learned Standing Counsel for the Railway-Respondent and perused the records. We find that claiming release of the legal dues of Late Ajaya Kumar Panda, the applicant submitted a representation to the Senior Divisional Personnel Officer, ECoRly, Khurda Road Division, Jatni, Dist. Khurda on 5.3.2013 (Annexure-A/8) and it is the positive case of the Learned Counsel for the Applicant that till date she has neither received any reply on the said representation nor any of the dues to which she is entitled to under the Rules. Mr.T.Rath, Learned Standing Counsel appearing for the Respondent-Railway has no immediate instruction about the fate of the said representation. This being a matter of payment of death cum retirement dues of an employee, we do not see any justification to keep this matter pending especially when the representation submitted ^{ed} by the

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applicant under Annexure-A/8 is still pending with the competent authority. In view of the above, without going to the merit of the matter, this OA is disposed of at this admission stage with direction to the Respondent No.3 to consider and dispose of the pending representation of the applicant at Annexure-A/8 to this OA and communicate the result thereof in a well-reasoned order to the Applicant within a period of sixty days from the date of receipt of copy of this order. It is also made clear that in case it is held that the applicant is entitled to any of the dues of Late Ajaya Kumar Panda as per Rules but the same has not been paid the same may be paid to her within a period of sixty days from the date of disposal of the representation. There shall be no order as to costs.

3. Copy of this order along with OA be sent ~~at~~ ^{to} the Respondent No.3 at the cost of the Applicant for which Mr.Panda undertakes to furnish the required postal requisite by 16.7.2013.


(R.C.Misra)
Member (Admn.)


(A.K.Patnaik)
Member (Judl.)