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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 634 OF 2013

Cuttack, this the 16th day of September, 2013

CORAM

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

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

Panchei Balabantray,
aged about 52 years,
Widow of Late Trareswar Balabantray,
Ex-Store Issuer,
O/O SSE (C&W)/ East Coast Railway, Puri,
Resident of Vill/P.O- Gadabadapur,
P.S-Kanas, Dist-Puri, Odisha.

.....Applicant

Advocate(s)-M/s- N.R. Routray, T.K. Choudhury, S.K. Mohanty, Mrs. J. Pradhan.

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway,
E.Co.R Sadan, Chandrasekharapur,
Bhubaneswar, Dist-Khurda.
- 2 . Sr. Divisional Personnel Officer,
East Coast Railway,
Khurda Road Division,
At/P.O.-Jatani, Dist-Khurda.
3. Senior Divisional Financial Manager.
East Coast Railway,
Khurda Road Division,
At/P.O.-Jatani, Dist-Khurda

..... Respondents


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

ORDER(Oral)

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

Heard Shri N.R.Routray, learned counsel for the applicant and Shri T.Rath, learned Standing Counsel, on whom a copy of the O.A. has been served, appearing on behalf of the Respondents and perused the materials on record.

2. The instant O.A. has been filed by the applicant under Section 19 of the A.T.Act, 1985, challenging the inaction on the part of the Railway authorities in granting family pension in her favour. Shri Routray submitted that the applicant is the widow of late



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Trareswar Balabantray, Ex.Store Issuer, who had retired from service voluntarily with effect from 24.7.2007. In the provident fund nomination form the ex employee has stated the name of the present applicant to be his wife as well as nominee, which is at Annexure-A/2 to the O.A. Shri Routray further submitted that after retirement the husband of the applicant continued to draw pension till April, 2010 till 8.5.2010 when he passed away. The applicant after the death of her husband submitted all the required documents to the Respondents for grant of family pension in her favour but to no effect. Since no action was taken by the Respondents in this regard, the applicant preferred a representation dated 11.3.2013 to the Senior Divisional Personnel Officer, East Coast, Railway (Respondent No.2) with copy to Divisional Mechanical Engineer & Senior Divisional Financial Manager, East Coast Railway and her grievance having not been redressed, she has approached this Tribunal in the instant O.A.

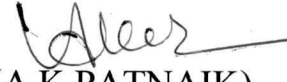
3. Shri T.Rath, learned Standing Counsel has no immediate instruction regarding any such representation to have been filed by the applicant nor the status of the said representation.

4. Having regard to the submissions made by the learned counsel for both the sides, without entering into the merit of the matter, we direct the Respondent No.2, to consider the representation dated 11.3.2013 of the applicant if it is still pending and pass a reasoned a speaking order as per the extant rules within a period of sixty days from the date of receipt of this order. However, we make it clear that if the applicant is entitled to family pension, the same shall be disbursed as expeditiously as possible, preferably within three months from the date of such consideration.

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

6. Copy of this order along with paper book of OA be sent to Respondent No.2 by Speed Post at the cost of the applicant, for which Shri Routray undertakes to file the postal requisites by 18.9.2013. Free copy of this order be made over to the learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)


(A.K.PATNAIK)
MEMBER(J)