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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No 659 OF 2013
Cuttack, this the 23rd day of September, 2013

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

.....

Smt. Bhaga Hembram,
aged about 60 years,
Wife of Sj. Trivam Hembram of
Village- Duburai, PO- Jhinkiria,
PS- Balasore Suda, Dist- Balasore.

.....Applicant

Advocate(s) M/s. S.K. Swain, Rita Singh.

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway,
At/Po/Ps- Chandrasekharapur,
Rail Vihar, Bhubaneswar,
Dist-Khurda.
2. The Divisional Railway Manager,
East Coast Railway,
Khurda Road Division,
At/Po/Ps-Jatni, Dist-Khurda.
3. The Chief Personnel Officer,
East Coast Railway,
2nd Floor, South Block,
ECOR Sadan, Mancheswar,
Bhubaneswar, Dist-Khurda.

..... Respondents

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

.....

ORDER (ORAL)

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

Heard Mr. S.K.Swain, Ld. Counsel for the applicant, and Mr. T.
Rath, Ld. Standing Counsel appearing for the Railways, on whom a copy of
this O.A. has already been served.



2. This O.A. has been filed by one Smt. Bhaga Hembram aged about 60 years, wife of Trivam Hembram who is missing since 11.08.2005 and though not yet traced out, Railway authorities are not granting family pension to the applicant. By drawing out attention to the provision made under Annexure-A/6 dated 18.01.2012 as well as letter dated 02.03.2012 under Annexure-A/7, Mr. Swain, Ld. Counsel for the applicant, submitted that although all the required documents have been submitted by the applicant, till date no step has been taken by the Railway administration for grant of family pension and other dues. Again, by drawing our attention to the representation made by the applicant on 06.08.2012 addressed to the Divisional Railway Manager, Khurda Road, i.e. Respondent No.2, Mr. Swain submitted that he will be satisfied if a direction can be issued to Respondent No.2 to consider the said representation as per law within a specific time frame.

3. Mr. T.Rath, Ld. Standing Counsel for the Railways, has no immediate instruction regarding any such representation preferred by the applicant and, if so, what is the present status of the same.

4. In view of the above, taking into account the arguments advanced by Mr. Swain, Ld. Counsel for the applicant, without expressing any opinion on the merit of this case, we dispose of this O.A. at the stage of admission itself by directing Respondent No. 2 to consider the representation, if at all made by the applicant on 06.08.2012 and if the same is still pending, and dispose of the same by way of a reasoned and speaking order and communicate the result thereof to the applicant within 60 days from the date of receipt of copy of this order. If, after such consideration the




applicant is found to be entitled to certain dues as per law then expeditious steps may be taken to release the same in favour of the applicant.

5. With the aforesaid observation and direction, O.A. stands disposed of at the stage of admission itself.

6. Copy of this order, along with paper book, be transmitted to Respondent Nos. 2 and 3 at the cost of the applicant, for which Mr. Swain, Ld. Counsel for the applicant, undertakes to file the postal requisites by 26.09.2013.


MEMBER (Admn.)


MEMBER (Judl.)

RK