

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 960 OF 2013

Cuttack, this the 26th day of February, 2014

CORAM

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

1. A. Vijayamma,
aged about 43 years,
Daughter of Late A. Krishna Rao,
2. A. Gopi,
aged about 37 years,
Son of Late A. Krishna Rao
3. A. Santoshi Kumari,
aged about 33 years,
Daughter of Late A. Krishna Rao,
All are At-Gajapati Nagar,
P.O. Jatni, Dist.Khurda-752050

.....Applicants

Advocate(s)- M/s. G.R. Dora, J.K. Lenka, P.K. Behera.

VERSUS

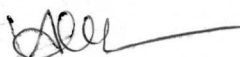
Union of India represented through

1. The General Manager,
East Coast Railway,
Chandrasekharapur,
Bhubaneswar,
Dist. Khurda.
2. Divisional Railway Manager (P),
East Coast Railway,
Khurda Road, Jatni,
Dist. Khurda.
3. Smt. D. Warapa Sarojini Devi,
W/o-Adapa Appalaraju,
D/o-D. Appa Rao,
At-China Bazar Street,
Door No-3-2-133, Srikakulam,
Andhra Pradesh.

..... Respondents

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

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ORDER (ORAL)

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

Copy of this O.A. has been served on Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, who accepts notice for all the Respondents in this OA. Registry is directed to serve notice, in terms of sub rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987 for onward transmission. Heard Mr. J.K.Lenka, Learned Counsel for the Applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, and perused the materials placed on record.

2. M.A. No. 928/13 filed for joint prosecution of this case is allowed. M.A. is, accordingly, disposed of.

3. The Applicants, who are brothers and sisters of Late A.Venkata Rao who while working ^{as} a Goods Guard (Mail/Express) died on 09.01.2013, have filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 praying for a direction to the Respondents to sanction and release the provident fund, death terminal benefits, salary, medical leave allowance, Group Insurance etc. of deceased Late A.Venkata Rao, Ex-Guard (Mail/Express) in their favour and further to sanction pension in favour of unmarried two sisters, i.e Applicant Nos. 1 and 3. Mr. Lenka, Ld. Counsel for the applicant, submitted that ventilating his grievance the applicants have made representations on 2.5.2013 vide Annexure-A/10 and again on 02.07.2013 to Respondent No.2 under Annexure-A/12 but the same have not yet been considered and are still pending.


4. On the other hand, Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, has no immediate instruction if any such

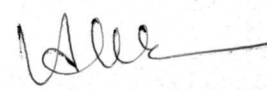


representations have been preferred by the applicants addressed to Respondent No. 2 and, if so, the status thereof.

5. Since it is the positive case of the applicants that the representations preferred by them are still pending, without entering into 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 representations made under Annexures-A/10 and A/12, if the same are still pending, and dispose of the same by way of a well reasoned order and communicate the result thereof to the applicant within a period of 60 days from the date of receipt of copy of this order. If after such consideration the applicants are found to be eligible/entitled to certain benefits then expeditious steps be taken within a further period of two months thereafter to pay the said amount to the applicants. However, we make it clear that if in the meantime said representations have already been disposed of then the result thereof be communicated to the applicants within a period of two weeks from the date of receipt of copy of this order. No costs.

6. Copy of this order be transmitted to Respondent No. 2 by Speed Post at the cost of the applicants, for which Mr. Lenka, Ld. Counsel for the applicant, undertakes to file the postal requisites by 04.03.2014.


(R.C.MISRA)
MEMBER (Admn.)


(A.K.PATNAIK)
MEMBER(Judl.)