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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00356 OF 2014
Cuttack this the 16th day of May, 2014

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

.....

Kariman Bibi,
aged about 72 years,
W/o- Late Md. Riazuddin,
At- Kudiary Bazar, P.O.- Jatni,
Dist.- Khurda.

.....Applicant

Advocate(s)- M/s- K.P.Mishra, S. Mohapatra, T.P.Tripathy, L.P.Dwibedy

VERSUS

Union of India represented through

1. The General Manager,
South Eastern Railway,
Garden Reach, Kolkata.
2. Divisional Railway Manager,
East Coast Railway,
Khurda Road, P.O.- Jatni,
Dist-Khurda.
3. FA & CAO,
South Eastern Railway,
Garden Reach, Kolkata.

..... Respondents

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

ORDER (ORAL)

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

Heard Ms. S. Mohapatra, 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. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985, for grant of family pension. The case of the applicant is that her husband had two wives and his family pension was divided between them (the applicant and another wife, viz. Rokia Bibi). However, ~~the~~ Rokia Bibi has expired on 09.09.2005. Ms. Mohapatra, Ld. Counsel for the applicant, submitted that because the applicant is the sole surviving wife after the death of the other wife, she is entitled to total family pension. By drawing our attention to the representation preferred by the applicant on 12.07.2012 to Respondent No.3 she further submitted that till date the applicant has not received any response from the concerned authority. Ms. Mohapatra, Ld. Counsel for the applicant seeks liberty to make an exhaustive representation to Respondent No.3 within a period of 15 days from today.

3. On the other hand, Mr. Rath, Ld. Standing Counsel for the Railways, has no immediate instruction about fate of the representation which is stated to be submitted by the applicant on 12.07.2012.

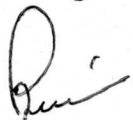
4. Taking into account the submission made by Ld. Counsel for the applicant, without going into the merit of this case, we dispose of this O.A. giving liberty to the applicant to file representation before Respondent No.3 ventilating her grievance within a period of 15 days hence and if such representation is filed within the time stipulated then Respondent No.3 is directed to consider the same as per the extant rules and regulations and communicate the result thereof to the applicant with a reasoned and speaking order within a period of 60 (sixty) days from the date of receipt of copy of this order. We make it clear that 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 30 days to disburse the same to the applicant. Applicant is free to attach a copy of this order along with the representation to Respondent No.3.

5. With the above observation and direction, this O.A. is disposed of at the stage of admission itself.

6. As agreed to by the Ld. Counsel for both the sides, copy of this order along with the paper book be transmitted to Respondent Nos. 2 and 3 by Speed Post at the cost of the applicant, for which Ms. Mohapatra undertakes to furnish the postal requisites by 20.05.2014. Free copies of this order be given to the Ld. Counsel for both the sides.



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



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