

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00676 OF 2014

Cuttack, this the 10th day of September, 2014

CORAM

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

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

.....

Parbati Barik,

Aged about years,

Widow of late Kartik Barik,

Ex-Senior Trackman under SE (P.Way)/E.Co.Rly/BHC

Permanent resident of Vill/PO- Baralpokhari,

PS – Bhadrak (T), Dist.- Bhadrak, Odisha.

.....Applicant

Advocate(s)... M/s. N.R. Routray, Smt. J. Pradhan, T.K. Choudhury

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway, E.Co.R.Sadan,
Chandrasekharapur, Bhubaneswar,
Dist-Khurda.
2. Divisional Railway Manager/
East Coast Railway, Khurda Road Division,
At/PO- Jatni, Dist-Khurda.
3. Sr. Divisional Personnel Officer/
East Coast Railway, Khurda Road Division,
At/PO- Jatni, Dist-Khurda.
4. Sr. Divisional Financial Manager/
East Coast Railway, Khurda Road Division,
At/PO- Jatni, Dist- Khurda.
5. Ant. Div. Engineer,
Jajpur Keonjhar Road, East Coast Railway,
At/PO- Jajpur Road, Dist- Jajpur.

..... Respondents

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



ORDER (ORAL)

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

Heard Mr. N.R.Routray, Ld. Counsel for the applicant, and Mr. T.Rath, Ld. Standing Counsel for the Railways, on whom a copy of this O.A. has already been served.

2. Applicant, the widow of late Kartik Barik, Ex-Senior Trackman working under SE (P.Way)/E.Co.Rly/BHC, has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 seeking for a direction to the Respondents to accept the pension papers and release the death-cum-financial benefits as per Railway Servant Pension Rule 1993 with 12% interest for the delayed period. It has been submitted that applicant's husband while working as Sr. Trackman died on 18.03.2003 and after his death the applicant approached the Respondents authority along with the death and legal heir certificate for release of death-cum-financial benefits but till date the same has not been released. Ventilating his grievance, she has made representation under Annexure-A/4 dated 31.03.2014 before Divisional Railway Manager, E.Co.Rly., i.e. Respondent No. 2, but till no response has been received by her. Mr. Routray, Ld. Counsel for the applicant, submitted that the grievance of the applicant may be redressed if a direction is issued to Respondent No. 2 to consider her pending representation within a stipulated period.

3. Mr. T. Rath, Ld. Standing Counsel for the Railway, submits that he has no immediate instruction so far as the pendency of the representation is concerned.



4. Since the positive case of the applicant is that her representation is pending with Respondent No. 2, at this stage, without entering into the merit of this case, we dispose of this O.A. by directing Respondent No.2 to consider the representation under Annexure-A/4, if the same is pending with him, and communicate the decision thereof to the applicant within a period of 60 days from the date of receipt of a copy of this order. 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 90 days therefrom to release the same. No costs.

5. As agreed to by Ld. Counsel for both the sides, copy of this order, along with paper book, be sent to Respondent Nos. 2, 3, 4 and 5 by Speed Post at the cost of the applicant for which Mr. Routray undertakes to file the postal requisites by 12.09.2014.



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



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