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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.260/00790 of 2014
Cuttack, this the 12th day of November, 2014

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

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Kanchan Biswal,
Aged about 33 years,
Widow of Late Udayanath Biswal,
Ex-Khalasi Helper under SSE/TRD/E. Co. Rly./ Cuttack,,
Permanent resident of
Vill.- Baghua, PO- Bari Thengerh,
PS- Badachana, Dist- Jajpur, Odisha.

.....Applicant

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

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Union of India represented through

1. The General Manager,
East Coast Railway, E.Co.R.Sadan,
Chandrasekharapur, Bhubaneswar,
Dist-Khurda.
2. Sr. Divisional Personnel Office/,
East Coast Railway, Khurda Road Division,
At/PO- Jatni, Dist-Khurda.
3. Sr. Divisional Financial Manager/
East Coast Railway, Khurda Road Division,
At/PO- Jatni, Dist-Khurda.
4. Sr. Divisional Electrical Engineer/TRD/
East Coast Railway, Khurda Road Division,
At/PO- Jatni, Dist-Khurda.
5. Sr. Section Engineer/TRD/
East Coast Railway, At/PO- Station Bazar,
Town/Dist- Cuttack.

..... Respondents

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

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O R D E R (ORAL)

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

Heard Mr. N.R.Routray, Learned Counsel for the Applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. Applicant, the widow of late Udayanath Biswal, who while working as Khalasi Helper under SSE/TRD/E.Co.Rly/Cuttack died prematurely on 12.02.2013 leaving behind the applicant, two unmarried daughters, two minor sons and widow mother, has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985, praying for a direction to the Respondents to release the death-cum-financial benefits i.e., Leave Salary, DCRG, CGEGIS, PF and Family Pension as per Railway Servant Pension Rule 1993 with 12% interest for the delayed period of payment. Mr. Routray, Ld. Counsel for the applicant, brought to our notice Annexure-A/4 dated 19.06.2014, a detailed representation of the applicant filed before Sr. Divisional Personnel Officer, i.e. Respondent No.2, and submitted that till date no response has been received by the applicant.

3. Mr. Rath, Ld. Standing Counsel for the Railways, submits that he has no immediate instruction as to whether any such representation, as claimed by the applicant, has been submitted on 19.06.2014 and if so, the status thereof.

4. Be that as it may, since it is the positive case of the applicant that no decision has been communicated to him on the representation submitted on 19.06.2014, without entering into the merit of this matter, this OA is disposed of at this admission stage with direction to Respondent No. 2 to consider the grievance of the applicant as referred by her in his representation, if the same is still

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pending, and communicate the decision thereof, in a well-reasoned order to the applicant within a period of 60(sixty) days from the date of receipt of copy of this order. If upon such consideration applicant is found to be entitled to the benefits claimed by her then expeditious steps be taken by the Respondents to extend the same to the applicant within a period of 90 days from the date of such consideration. However, if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order.

5. As agreed to by Ld. Counsel for both the sides, copy of this order, along with the paper book, be transmitted to Respondent Nos. 2, 3, and 4 by Speed Post at the cost of the applicant, for which Mr. Routray, Ld. Counsel for the applicant, undertakes to furnish the postal requisites by 17.11.2014.



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



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