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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/001036 OF 2014
Cuttack, this the 14th day of January, 2015

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

....

Smt. Kanan Bala Routray,
aged about 61 years,
W/o. Late Dharanidhara Routray,
Resident of Vill- Baidesar, PO- Baidesar,
Via- Kalapathara, Dist- Cuttack.

...Applicant

(Advocates: M/s. A.K.Mohanty, D.K.Mohanty, P.K.Kar)

VERSUS

Union of India Represented through

1. Secretary,
Department of Telecommunications, Govt. of India,
Sanchar Bhavan, 20. Ashoka Road, New Delhi-110001.
2. Chairman cum Managing Director,
Bharat Sanchar Nigam Ltd,
Bharat Sanchar Bhawan, Harish Chandra Mathur Lane,
Janpath, New Delhi-110001.
3. Chief General Manager,
Bharat Sanchar Nigam Ltd,
Orissa Circle, Bhubaneswar-751001.
4. General Manager Telecom District,
Bharat Sanchar Nigam Ltd.,
Door Sanchar Nigam Ltd.,
Bhubaneswar-751022.

...Respondents

(Advocate: Mr. S.B.Jena, Mr. L.Jena)

.....

S.B. Jena

ORDER (ORAL)

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

Heard Mr. A.K.Mohanty, Ld. Counsel for the applicant, Mr. S.B.Jena, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondent No.1, and Mr. L. Jena, Ld. Counsel appearing for Respondent Nos. 2, 3 and 4, 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 Dharanidhara Routray, has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

“(A) to quash the punishment order of the disciplinary authority dated 16.03.2007 (as per Annexure A/3) and the orders of the appellate authority dated 26.03.2007 (as per Annexure A/4) for being bad in law.

AND

(B) consequently to direct the respondents to disburse the full pay and allowances of the deceased Dharani Routray from 8.6.2007 till the date of his death on 17.1.2009 with interest @ 9% per annum till the date of actual disbursement.

AND

(C) to direct the Respondents to sanction regular family pension and disburse death gratuity etc. all service benefits to the applicants as per law from 18.1.2009 onwards with interest 9% per month till the date of actual disbursement.

AND

(D) to pass such other

3. The case of the applicant is that against her husband a charge sheet under Rule 14 of CCS (CCA) Rules, 1965 was framed in the year 2002. Subsequently, the Disciplinary Authority imposed the punishment of removal from service on 16.03.2007 (Annexure-A/3), against which the applicant's husband




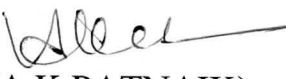
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preferred appeal on 26.03.2007. The Appellate Authority after going through his appeal, vide order dated 8.6.2007 (Annexure-A/5) uphold the order of removal from service passed by the Disciplinary Authority. Thereafter, he filed a Review Petition to the Chief General Manager, i.e. Respondent No.3, on 12.07.2007 followed by a reminder dated 15.03.2008. Applicant's husband expired on 17.01.2009. After the death of her husband, the applicant preferred representation on 10.08.2009 addressed to the Chief General Manager, i.e. Respondent No.3, followed by a reminder. However, through an RTI application she got information on 04.10.2014 that her representation is still pending.

4. Since it is the positive case of the applicant that her representation is still pending consideration before the Respondent No.3, without entering into the merit of the matter, we dispose of this OA, at this admission stage with a direction to the Respondent No. 3 to consider and dispose of the representation by a reasoned and speaking order and communicate the same to the applicant within a period of 60 days from the date of receipt of copy of this order. If, in the meantime, the representation or review petition has already been disposed of then the result thereof be communicated to the applicant within a period of four weeks from the date of receipt of a copy of this order. No costs.

5. On the prayer made by Mr. Mohanty, Ld. Counsel for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 1 and 3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 20.01.2015.


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


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