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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.260/001049 of 2014
Cuttack, this the 27th day of January, 2015

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

.....

Smt. Renia Swain,
Aged about 56 years,
W/o Late Raghav Swain,
At- Dalai Sahi, PO- Manikagoda,
PS- Bolagarh, Dist. Khurda.

.....Applicant

Advocate(s)... Mr. K. Mohammad.

VERSUS

Union of India represented through

1. The General Manager,
South Eastern Railway,
Calcutta-51 (Kolkata), West Bengal.
2. Divisional Railway Manager,
South Eastern Railway, Kharagpur Division,
Dist-Medinapur (W.B.).

..... Respondents

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

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ORDER (ORAL)

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

Heard Mr. K.Mohammad, 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, stated to be the second wife of Late Raghab Swain, who while working as Railway Driver superannuated from Kharagpur Division in the year 1978, has filed this O.A. for a direction to Respondent No.2 to change the nomination to her name in the pension paper of her deceased husband and release the family pension in her favour since May, 2010. It has been submitted that the applicant had earlier filed O.A. No. 594/2012 before this Tribunal, which was disposed of on 20.12.2012 with direction to Respondent No. 2 to consider and dispose of the representation. Consequently, Respondent No.2 passed order under Annexure-A/11 dated 06.03.2013 asking for certain documents to establish the genuineness of applicant's claim. Mr. Mohammad, Ld. Counsel for the applicant, submitted that pursuant to the aforesaid order of Respondent No.2, the applicant submitted representation, along with some documents obtained by her, before Respondent No.2 on 23.08.2014 vide Annexure-A/15 series but till date no response has been received by her on the representation.


3. Mr. T. Rath, Ld. Standing Counsel for the Railways, submitted that at this stage he has no immediate instruction if any such representation has been filed by the applicant and, if so, the status thereof.


4. In view of the submissions made by the Ld. Counsel for both the sides, without entering into the merit of this matter, we dispose of this O.A. at this admission stage with direction to Respondent No. 2 to consider and dispose of the representation of the Applicant 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 after such consideration, the applicant is found to be entitled to the relief claimed by them then expeditious steps be taken within a further period of 90 days from the date of such consideration to extend the benefit to the



applicant. If, in the meantime, the representation has already been disposed of then the result thereof be communicated to the applicant within a period of 15 days from the date of receipt of a copy of this order. No costs.

5. As prayed for by Mr. Mohammad, Ld. Counsel for the applicant, copy of this order, along with the paper book, be transmitted to Respondent No. 2 by Speed Post at the cost of the applicant, for which he undertakes to furnish the postal requisites by 30.01.2015.


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


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

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