

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

No. O.A. 710 of 1997

Present : Hon'ble Mr. D. Purkayastha, Judicial Member

Hon'ble Mr. G.S. Maingi, Administrative Member

JUTHIKA PATHAK

VS.

UNION OF INDIA & ORS.

For the applicant : Mr. Samir Ghosh, counsel

For the respondents : Mr. P.K. Arora, counsel

Heard on : 12.6.2000

Order on : 12.6.2000

O R D E R

D. Purkayastha, J.M.

In this application, the applicant has prayed for following reliefs:-

- "(i) to direct the respondents to grant DCRG amount to the applicant, who is nominee of the deceased railway employee, Sukhendra Nath Pathak, ex-OS Gr.II of CCM(Claim) Office, R&D Section, Eastern Rly., Keilagh St., Calcutta;
- (ii) to direct the respondents to consider the period of traffic apprenticeship of the said deceased S.N. Pathak as qualifying service while calculating the DCRG amount;
- (iii) to direct the respondents to deal with and/or dispose of the representations of the applicant as contained in Annexure-E hereto in their correct perspective;
- (iv) to direct the respondents to pay interest @ 18% p.a. on the DCRG amount to the applicant;
- (v) to direct the respondents to produce the entire records of the case before this Hon'ble Tribunal for adjudication of the points at issue;
- (vi) to pass such further order or orders as to this Hon'ble Tribunal may deem fit and proper."

The respondents have denied the claim of the applicant by filing written reply to the O.A. stating that the application

is liable to be dismissed as it is devoid of any merit.

2. We have heard the ld. counsel for the applicant and for the respondents. Ld. counsel for the applicant, Mr. Samir Ghosh has submitted before us that the applicant has been paid the DCRG amount of the deceased employee but other reliefs has not yet been granted to her. He further submitted that the respondents may be directed to consider the case of the applicant in respect of other service benefits treating this O.A. as representation of the applicant within a specific period. Ld. counsel for the respondents, Mr. P.K. Arora has no objection to that.

3. In view of the above, we direct the respondent No. 3, the Chief Personnel Officer, Eastern Railway, Fairlie Place, Calcutta-I to dispose of the representation of the applicant treating this O.A. as a part of the same, with a reasoned and speaking order within 2 months from the date of communication of this order. If the decision of the authority goes in favour of the applicant, the benefits shall be granted to her within a period of two months from the date of taking decision in this matter and if the decision goes against the applicant, she can approach this Tribunal again, if so desires. Accordingly, the O.A. stands disposed of without any order as to costs.

Subrata Banerjee
12/6/2000
MEMBER(A)

H. S. D.
12/6/2000
MEMBER(J)

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