

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. O.A. 794 of 1997

Date of Order: 18.02.2004.

Present : Hon'ble Mr. S. Biswas, Administrative Member
Hon'ble Mr. Nityananda Prusty, Judicial Member

SMT. ZAHEDA KHATUN

VS.

UNION OF INDIA AND ORS.

For the Applicant : Mr. A. Chakraborty, counsel

For the Respondents : Mr. B.K. Gupta, counsel.

O R D E R

MR. NITYANANDA PRUSTY, JM:

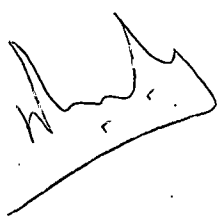
The applicant whose husband was working as a Khalasi, under B.R.I.(I), S.E. Railway, Kharagpur has filed this application for the following reliefs:

"1) Declaration the husband of the applicant is entitled to be regularised in service from the date of empanellment in terms of DRM(P)'S KGP'S letter No.E/Genl/Engg. Admn., dated 12/2/1996 enabling him to acquire qualifying service for the purpose of incremental and other benefits.

2) An order do issue directing the respondents to fix the pay of the husband of the applicant w.e.f. 13.11.1972."

2. Heard Mr. A. Chakraborty, ld. counsel for the applicant and Mr. B.K. Gupta, ld. counsel, who appears on behalf of the official respondents.

3. When this matter was taken up for hearing, Mr. Chakraborty, ld. counsel for the applicant submits that he want to withdraw this application with liberty to the applicant to file a detailed representation highlighting all her grievances, enclosing the copies of the office orders/circulars/judgments etc., on which the applicant relies upon and let their be a direction to the official respondents to consider the representation taking into the consideration the documents filed alongwith ~~the~~ representation and disposed of the same by passing a reasoned order within a stipulated period.



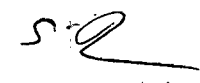
4. Mr. B.K. Gupta, ld. counsel appearing on behalf of the official respondents has no serious objection to the above submission made by the ld. counsel for the applicant. Mr. Gupta, ld. counsel for the respondents submits that this O.A. can be permitted to be withdrawn with a liberty to file a representation as submitted by the ld. counsel for the applicant without any observation on the merits of the claim.

5. Considering the above submissions made by ld. counsel for both the parties, the O.A. is dismissed as withdrawn. However, there shall be no order as to costs.

6. However, the applicant is at liberty to file a detailed representation highlighting all her grievances enclosing documents relied upon by her in support of her claim i.e. Railway Board Circulars/orders/ judgments of different courts etc., within a period of one month from the date of communication of this order. In case such a representation is filed by the applicant and received by the respondent authorities, the respondent authorities more particularly respondent no.02 is directed to consider the representation of the applicant keeping in view the documents relied upon and filed by the applicant along with her representation and disposed of the same by passing a reasoned and speaking order in accordance with law within a period of 03 months from the date of receipt of such representation and communicate the same to the applicant within a period of 02 weeks from the date of passing such order. It is made clear we have not observed anything on the merits of the case.



MEMBER(J)



MEMBER(A)

ASVS.