

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

CPC 22 of 2000.  
(OA 425 of 1997)

Present : Hon'ble Mr. S. Biswas, Administrative Member  
Hon'ble Mr. A. Sathath Khan, Judicial Member.

Smt. Kundan Mondal

- VS -

Mr. S. Ramanathan (E. Rly.)

For the applicants : Mr. P. Ghosh, Counsel

For the Respondents : Mr. P.K. Arora, Counsel.

Date of Order : 07.03.2003

O R D E R

MR. A. SATHATH KHAN, JM

When the matter was taken up for hearing, Ld. Counsel for both parties are present. Ld. Counsel for the applicant submitted that the respondents have not fully complied with the direction of this Tribunal. We perused the order dated 15.01.1998 of this Tribunal in O.A. 425 of 1997, in which the respondents were directed to treat the O.A. as a representation and dispose it of within a period of three months with other ~~subsequent~~ directions and then the period fixed for disposal of the representation was extended by two months by order dated 12.08.1999 of this Tribunal in CPC 92 of 1998.

2. Ld. Counsel for the respondent, Sri P.K. Arora submitted that the respondents have paid the unpaid salary of Rs. 151/- on 12.10.1999 and the DCRG amount of Rs. 3,272/- on 15.10.1999

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and hence the respondents have fully complied with the order of this Tribunal. <sup>A</sup> ~~On~~ persual of the order passed by this Tribunal dated 15.01.1998 shows that the respondents should treat the O.A. as representation and dispose of it. However, the Ld. Counsel for the respondent submitted that so far as the relief on compassionate appointment to applicant no.2 is concerned, the Tribunal in its order dated 15.01-1998 has rejected the same. <sup>Hence</sup> ~~Even if~~ the relief relating to compassionate appointment cannot be urged by the applicant. We find from the prayer in the O.A. that the applicant has claimed all settlement dues namely Pension, DCRG, P.F., CGEIS, Leave Salary, Bonous, Salary for the month of May, 1985 upto 22.05.1985, etc., <sup>as</sup> ~~as on due~~ payable to the deceased employee with interest.

3. However, we find from the reply filed by the respondents that the respondents have paid only the unpaid salary of Rs. 151/- on 12.10.1999 and the DCRG amount of Rs. 3,272/- on 15.10.1999 and the respondents have not considered the other claims mentioned in the O.A. which is to be treated as a representation.

4. Under these circumstances, we direct the respondents to consider the other claims of the applicant prayed for <sup>relief</sup> ~~relief~~ portion mentioned in 8 b), i.e.,

"An order directing the respondents to pay to the applicant no.1 all the settlement dues, e.g. P.F., DCRG, Family Pension, CGEIS, Bonous, Leave Salary, Salary for the month of May, 1985 upto 22.05.1985 etc. as are due and payable in respect of late Tulsi Mondal on and from 23.05.1985 together with an interest @ 18% per annum as accrued thereon from the date it became due till the amount is actually paid."

<sup>Hence as per</sup> ~~In~~ the order dated 15.01.1998 <sup>respondents are</sup> ~~it was directed that this~~ O.A. <sup>be treated</sup> ~~be treated~~ as representation and dispose of the same within a period of three months from the date of receipt of this order and pass necessary speaking order. The CPC is disposed of. No order costs.

MEMBER(J)

S. B. S.  
MEMBER(A)