

(98)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.1214/95.

Dt. of Decision : 13-10-95.

Smt. P.V.Ratnam

.. Applicant.

Vs

1. The Chief Personnel Officer,
SE Rly, Garden Reach,
Calcutta-43.

2. The Sr.Divl.Personnel Officer,
SE Rly, ADRA, West Bengal.

.. Respondents.

Counsel for the Applicant : Mr. A.V.Dhananjaya Rao

Counsel for the Respondents : Mr. C.V.Malla Reddy,
SC for Rlys.

CORAM:

The Hon'ble Shri R. Rangarajan, Member (Admn.)

OA 1214/95.

Dt. of Order:13-10-95.

(Order passed by Hon'ble Shri R.Rangarajan, Member (A)).

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The applicant herein is wife of late P.V.Rao, who worked as Station Master in Adra Division of South Eastern Railway. He retired in the year 1952 and subsequently he died in the year 1971. In terms of the office memorandum No.4/1/87-P&PW(PTC) dt.13.6.1988 issued by the Ministry of Personnel, Public Grievances it was decided that "the widows and dependent children of the deceased CPF Pensioners who have retired from service prior to 1-1-86 shall be granted exgratia payment of Rs.150/- p.m. with effect from 1-1-86 or from the date following the date of death of the deceased employee whichever is later". The above memorandum was circulated by the Railways under their establishment Serial Circular No.170/88 dt.12-7-1988 (Annexure-I). || The applicant, who is the wife of the deceased, who retired prior to 1-1-1986 and also died in the year 1971 submitted an application for getting exgratia payment in terms of the above circular to the the Divisional Personnel Officer, Waltair. However, the Divisional Personnel Officer, Waltair returned the application stating that she should apply to the Divisional Personnel Officer, Adra Division, under whom the retired employee worked. In view of the above direction by the Divisional Personnel Officer, Waltair, the applicant submitted an application to the Senior Divisional Personnel Officer, Adra Division (Respondent No.2) on 19-6-1993. The ~~app~~ above application was returned back for answering certain queries raised therein (Annexure-II)

It is further stated that she had answered all the queries to the satisfaction of the Respondents but no reply has been received so far. Even the subsequent reminders did not elicit any information from the respondents. In view of the above, she has filed this application praying for a direction to Respondent No.2 to release the ex-gratia and dearness allowance to the applicant as per Government memo dt.13.6.88. When the case came up for admission hearing, the learned counsel for the applicant submitted that a notice may be issued to Respondent No.2 for reply. If a notice is issued, it will take quite considerable time and if the reply is not satisfactory, the applicant will have to file a rejoinder to elicit further information. This process will take quite considerable time and instead if the application is disposed of at the admission stage itself directing the Respondents to give reply to the representation and on the basis of the representation if the applicant is aggrieved, she can approach the Tribunal filing a fresh O.A. The above course of action will cut down the delay. The learned counsel for the applicant fairly submitted that this O.A. may be disposed of as above.

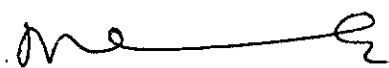
2. In view of the above, Respondent No.2 is directed to dispose of the representation of the applicant suitably within a period of three months from the date of receipt of a copy of this order. It is needless to say that if the applicant is

21

- 4 -

going to be aggrieved by the reply to be received by her from respondent No.2, she is free to move this Tribunal by filing a fresh O.A. under section 19 of the A.T.Act, 1985.

3. The O.A. is ordered accordingly at the admission stage itself. No order as to costs.



(R.RANGARAJAN)
Member (A)

Dated: 13th October, 1995.
Dictated in Open Court.


Deputy Registrar(J)CC

avl/

To

1. The Chief Personnel Officer, S.E.Rly
Garden Reach, Calcutta-43.
2. The Sr.Divisional Personnel Officer, S.E.Rly,
ADRA, West Bengal.
3. One copy to Mr.A.v.Dhananjaya Rao, Advocate, 2-2-25/3/3
Bagh Amberpet, Hyderabad.
4. One copy to Mr.C.v.Malla Reddy, SC for Rlys CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR. R. RANGARAJAN :M(A)

DATED: 13-10-1995

~~ORDER~~ JUDGMENT

M.A./R.A./C.A.No.

in

O.A.No.

1214/95

T.A.No.

(W.P.No.)

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No spare copy

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