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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::: GUWAHATI-5.

O.A.No. 115 of 1997.

DATE OF DECISION... 8.1.1999.....

!! Smt Khageswari Dutta (PETITIONER(S))

Shri P.D. Gogoi. ADVOCATE FOR THE
PETITIONER(S)

VERSUS

Union of India & Ors. RESPONDENT(S)

Shri J.L.Sarkar, Railway standing
counsel. ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE JUSTICE SHRI D.N.BARUAH, VICE CHAIRMAN.

THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman.



CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 115 of 1997.

Date of Order : This the 8th Day of January, 1999.

Justice Shri D.N.Baruah, Vice-Chairman.

Smt Khageswari Dutta,
Wife of Late Lila Ram Dutta,
Village - Amkotia,
P.O. Dhakuwakhana,
Dist. Lakhimpur (Assam)

. . . Applicant

By Advocate Shri P.D.Gogoi.

- Versus -

1. Union of India
represented by the Secretary,
Government of India,
Ministry of Railways,
New Delhi.
2. General Manager,
N.F.Railway,
Maligaon, Guwahati-11.
3. District Controller of Stores,
N.F.Railway,
Dibrugarh.

. . . Respondents.

By Advocate Sri J.L.Sarkar,
Railway standing counsel.

ORDER

BARUAH J.(V.C)

This application has been filed by the applicant Smt Khageswari Dutta wife of Late Lila Ram Dutta. Lilaram Dutta was working as Store Van Clerk and attained the age of superannuation on 1.7.1980. However, the Railway administration allowed him to work upto 30.11.1981. He was paid his salary during that period. He was however not given pension, gratuity and special contribution to provident fund. Meanwhile applicant's husband Lilaram Dutta expired on 12.12.1995 and his wife has filed this application.

2. In due course the respondents have filed written statement. In the written statement the claims of the

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applicant are admitted. However, the amount of his pension benefits has not been given as the final decision has yet to be taken by the Railway Board. Because of this the applicant has not received the pension benefits which the employee is entitled to.

3. I have heard Mr P.D.Gogoi, learned counsel appearing on behalf of the applicant and Mr J.L.Sarkar, learned Railway standing counsel for the respondents. Mr Gogoi submits that because of the non payment of the retirement benefits the deceased Lilaram Dutta was entitled to, the applicant and other members of the family are facing hardship. Mr Sarkar on the other hand submits that without the decision of the competent authority the claim for retirement benefits cannot be settled. Therefore, a decision is necessary from the Railway Board. On hearing the counsel for the parties, I dispose of this application with a direction to the Railway administration to obtain the decision from the Railway Board as early as possible at any rate within a period of 2 months from the date of receipt copy of this order. If the applicant feel aggrieved by the decision of the Railway Board she shall be at liberty to approach the appropriate authority for her redressal.

The application is disposed of with the above order.
No order as to costs.



(D.N.BARUAH)
VICE CHAIRMAN