



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No. 787 of 2016

Mr. Jiaur Rahaman, son of
Mayee since deceased aged
about 30 years, Village
Khanpur, P.O. Chhabghati,
P.S Suti, District
Mursidabad, Service. Pin-
742201.

.....Applicant/Petitioner

Versus

1. The union of India Service
through the Kolkata -
700001. General Manager,
Eastern Railway, 17, Netaji
Subhas Road, Fairly Place,
Kolkata 1.
2. The Divisional Railway
Manager, Malda Division,
Eastern Railway Jhaljhulia,
Malda Town, Malda -
732102.

....Respondents

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/787/2016

Date of Order: 07.06.2018

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

For the Applicant(s): Mr. J.R Das, Counsel

For the Respondent(s): Mr. B.L Gangopadhyay, Counsel

O R D E R (O R A L)

Mr. A.K Patnaik, Member (J):

The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- "i). Order do issue directing upon the respondents to disburse the rest amount of Rs. 15 lakhs out of 20 lakhs as Ex-gratia lump sum compensation of his father Late Mayee, since deceased in favour of the applicant within forth with.
- ii) Order do issue directing upon the respondents to transmit and submits before the Hon'ble Tribunal all the records and paper in connection with the instant application.
- iii) Order do issue directing upon the respondents to dispose the representation dated 09.02.2016 and give benefit of judgement dated 18.02.2016 and allow interest @ 18% from the date of accident for delayed payment of compensation.
- iv) Any other relief or reliefs as may be admissible on the basis of the Adjudication of the matter.
- v) Cost of the proceedings. "

2. Heard Mr. J.R Das, Id. counsel for the applicant and Mr. B.L Gangopadhyay, Id. counsel for the respondents.

3. Though the matter has been listed for hearing, at the outset, Mr. J.R Das, Id. counsel for the applicant submitted that the grievance of the applicant would be more or less satisfied if a direction is given to the Respondent No. 1 and 2 to consider the representation of the applicant which is still pending for consideration since 06.06.2014.

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4. On the other hand, Mr. B.L Gangopadhyay, ld. counsel for the respondents submitted that the applicant has already been paid ex-gratia lump-sum as per the provisions of the relevant rules in force at that time.

5. Mr. J.R. Das, ld. counsel for the applicant submits that though he has received 5 lakhs from the respondents, still then, he should be granted some more amount and he made a representation to the authorities in this regard justifying his claim. Mr. Das further submitted that the applicant would be satisfied for the present if a direction is given to consider his last representation dated 09.02.2016(Annexure A/9) within a specific time frame.

6. Without entering into the merits of the case, the matter is disposed of by directing the Respondent No. 1 and 2 i.e. the General Manager, Eastern Railway, Kolkata and the Divisional Railway Manager, Malda Division, Eastern Railway, Malda respectively to consider and dispose of the representation of the applicant dated 09.02.2016(Annexure A/9) keeping in view the rules and guidelines governing the field within a period of 3 months from the date of receipt of a copy of this order and communicate the decision to the applicant forthwith.

7. Though I have not gone into the merits of the matter, after such consideration, if the applicant is found to be entitled to the benefits as claimed in his representation, he may be granted the same within a further period of 3 months from the date of taking decision in the matter.

8. With the above observations and directions, the O.A stands disposed of.
No cost.

9. As prayed, a copy of this order be handed over to ld. counsel for both sides.

(A.K Patnaik)
Member (J)

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