

No. O.A. 350/00790/2017

Date of order: 11.1.2018

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

For the Applicant : Mr. A. Das, Counsel

For the Respondents : Mr. P.B. Mukherjee, Counsel

O R D E R (Oral)

A.K. Patnaik, Judicial Member:

Mr. A. Das, Id. Counsel for the applicant and Mr. P.B. Mukherjee, Id. Counsel for the respondents is present.

2. This O.A. has been filed by Smt. Chintamoni Rajbanshi, wife of Late Bechoo Rajbanshi @ Bechoo challenging acts and omissions on the part of the respondents for non-granting of Ex-gratia lump sum compensation to the applicant since the late husband died-in-harness on 12.5.2009. The applicant preferred several representations, which are still pending consideration. This O.A. has been filed seeking the following reliefs:-

- "a) An order directing the respondents to consider the case of the applicant for ex-gratia lump sum compensation forthwith along with interest as admissible under the rules without any delay tactics.
- b) An order directing the respondents to deal with an disposed of the representations made by the applicant herein in terms of Railway Board's Circulars.
- c) An order direct the respondent authority to give benefit of judgment in O.A. No. 217/2013 dated 11.4.2013 and O.A. No. 350/00374/2016 date of order 31.1.2017 passed by the Hon'ble Tribunal, Calcutta Bench.
- d) To direct the respondent authority to produce all records of the case at the time of adjudication for conscientious justice.
- e) And to pass such further order or orders as your Lordships

may seem fit and proper."

3. The facts as stated by the applicant is that she is the legally married wife of late Bechoo @ Becho Rajbanshi, who died on 12.5.2009. The late husband of the applicant was working as Keyman under SSE/PW/GRAD. After death of her husband the applicant preferred representation to the General Manager, Eastern Railway, 17, Netaji Subhas Road, Kolkata - 700 001 dated 4.4.2015 followed by subsequent representation dated 4.1.2016 but till date no response has been received from the said authority i.e. respondent No. 1.

4. Therefore, I dispose of this O.A. by directing the respondent No. 1, that if any such representation as claimed by the applicant has been preferred on 4.4.2015 followed by further representation dated 4.1.2016 and the same are still pending consideration, then the same may be considered and disposed of within a period of four weeks from the date of receipt of this order.

5. Though I have not entered into the merits of the case still then I hope and trust that after such consideration if the applicant's grievance is found to be genuine then expeditious steps may be taken by the concerned respondent No. 1 within a further period of 4 weeks from the date of such consideration for payment of those admissible dues to the applicant, who is the widow of the deceased Government servant. However, if in the meantime the said representation stated to have been preferred on 4.4.2015 followed by further representation dated 4.1.2016 have already been disposed of then the result thereof be communicated

to the applicant within a period of 2 weeks from the date of receipt of a copy of this order.

6. With the aforesaid observation and direction, the O.A. is disposed of.

7. As prayed for by Mr. Das, Ld. Counsel for the applicant a copy of this order along with paper book be transmitted to the respondent No. 1 by speed post for which Mr. Das undertakes to deposit necessary cost in the Registry by this week.

SP



(A.K. Patnaik)
Judicial Member