

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

KOLKATA BENCH

O. A. No. 350/924 of 2018.

Mt. Laxmi Lal, wife of Late Jawharlal
by faith-Hindu, by occupation-widow,
residing at 39, Nookarpara Road,
P.S. Haridebpur, Kolkata-700 041
and presently residing at C/o. -
Manas Biswas, 81, M. G. Road,
Haridebpur, Kolkata - 700 041.

..... Applicant.

-Versus-

1. Union of India, through the
General Manager, Eastern Railway,
17, N.S. Road, Kolkata-700 001.
2. The Chief Works Manager,
Eastern Railway, Signal Workshop,
1, King's Road, Howrah - 7111 001.
3. The Manager, Signal Workshop,
1, King's Road, Eastern Railway,
Howrah - 7111 001.

..... Respondents.

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

No.O A /350/924/ 2018

Date of order: 24.07.2018

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

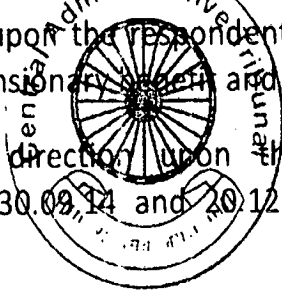
For the applicant : Mr. N. Roy, counsel

For the respondents : Mr. P.K. Roy, counsel

ORDER(Oral)

A. K. Patnaik , Judicial Member

This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

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- "a) To issue direction upon the respondents to consider the case of the applicant's pension, pensionary benefit and family pension forthwith;
 - b) To issue further direction upon the respondents to consider representations dttds. 30.09.14 and 20.12.17 regarding family pension forthwith;
 - c) Any other order or orders or further order or orders as Learned Tribunal deem fit and proper under the circumstances of the case;
 - d) To produce connected Departmental Record at the time of Hearinging."

2. Heard Mr. N. Roy, Id. counsel for the applicant and Mr.P.K. Roy, Id. counsel for the respondents.

3. Mr. N. Roy, Id. counsel for the applicant submitted that though the applicant filed representation to the Respondent No.2 dated 20.12.2017(Annexure A/10) ventilating her grievances therein, she received no response to the same till date. Mr. Roy further submitted that the applicant would be satisfied for the present if a direction is given to the Respondent No.2

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or 3 to consider and dispose of the representation of the applicant dated 20.12.2017(Annexure A/10) as per rules within a specific time frame.

4. Mr. P.K. Roy, Id. counsel for the respondents submitted that the applicant was directed by the authorities to bring certain orders from the competent court of law so as to process her case for grant of family pension, but she did not do so.

5. Though no notice has been issued to the respondents, I think it would not be prejudicial to either of the parties, if the above prayer of the Id. counsel for the applicant is allowed.

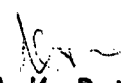
6. Accordingly the Respondent No.2 i.e. the Chief Works Manager, Eastern Railway, Signal Workshop, Howrah or the Respondent No.3 i.e. the Manager, Signal Workshop, Howrah is directed to consider and dispose of the representation of the applicant dated 20.12.2017(Annexure A/10) by passing a well reasoned order as per rules and regulations governing the field within a period of six weeks from the date of receipt of this order and communicate the result to the applicant forthwith. After such consideration if the grievance of the applicant is found to be genuine, then the respondents shall take expeditious steps for granting the family pension to her within a further period of three months from the date of taking decision in the matter.

7. It is made clear that I have not gone into the merits of this case and all the points raised in the representation are kept open for consideration by the respondent authorities as per rules and regulations governing the field.

8. With the aforesaid observations and directions, the O.A. is disposed of at the stage of admission itself.

b/c

9. As prayed by Id. counsel for the applicant, a copy of this order along with the paper book be transmitted to the Respondent No.2 and 3 by the Registry through speed post for which Id. counsel for the applicant shall deposit the cost within a week. A free copy of this order be handed over to Id. counsel for the respondents Mr. P.K. Roy who is present and heard in the court.


(A. K. Patnaik)
Judicial Member

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