

DA/350/650 18/2017

MA/350/0025/2017

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

PARTICULARS OF THE APPLICANT:

Mritunjoy Dey, son of late Kalipada Dey, aged about 62 years, worked as Points Man 'A', residing at Jhapetapur, Post Office – Kharagpur, District – Paschim Medinipur, Pin 721301, West Bengal

..... APPLICANT

V E R S U S –

- I. The Union of India, through the General Manager, South Eastern Railway, Garden Reach Road, Kolkata 700 043
- II. The FA & CAO, South Eastern Railway, Garden Reach Road, Kolkata 700 043
- III. The Divisional Railway Manager, South Eastern Railway, Kharagpur Division, P.O. + P.S. – Kharagpur, District – Paschim Medinipur, Pin 721301
- IV. The Senior Divisional Personnel Officer, South Eastern Railway, Kharagpur Division, P.O. + P.S. – Kharagpur, District – Paschim Medinipur, Pin 721301

..... RESPONDENTS

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/78/2017
M.A/350/25/2017

Date of Order: 04.06.2018

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

For the Applicant(s): Mr. A. Chakraborty, Counsel

For the Respondent(s): None

ORDER (ORAL)

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

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

- (i) "An order do issue directing the respondent authorities to include the name of the wife of the petition i.e Smt. Lakshmi Dey in the service book, pass declaration and medical and other documents of the applicant at an early date.
- (ii) To pass such further order/orders and/or direction and directions as your Lordships may deem fit and proper."

The applicant has also filed an M.A No./350/25/2017 seeking condonation of delay in filing the O.A.

2. Heard Mr. A. Chakraborty, ld. counsel for the applicant. None for the respondents.

3. The brief facts of the case as narrated by Mr. A. Chakraborty, ld. counsel for the applicant are that the applicant was working as Points Man 'A' in the operating department under the authority of the respondents and he retired from service with effect from 31.05.2014 on attaining an age of superannuation. It is submitted by ld. counsel for the applicant that the applicant earlier married Smt. Minoti Dey and her name was recorded in his service book. He further submitted that the said marriage was dissolved vide a decree of divorce passed by the Learned Additional District Judge, the 6th Court, Paschim Medinipore on 18th May, 2013. Mr. A. Chakraborty, ld.


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counsel for the applicant submitted that the applicant once again married Smt. Lakshmi Dey, which was registered on 28.06.2013, vide certificate serial no. 179/2013. After his remarriage, the applicant approached the railway respondents on many occasions with a request to include the name of Smt. Lakshmi Dey in his service book, pass declaration and medical records but no steps has been taken by the authorities to consider his request. It is further submitted by ld. counsel for the applicant that the applicant made several representations to the authorities concerned on 04.09.2013, 02.05.2014, 29.05.2014 and 01.09.2014 ventilating his grievances therein but received no response from the authorities.

4. Mr. A. Chakraborty, ld. counsel for the applicant submitted that the applicant would be satisfied for the present if a direction is given to consider his last representation dated 01.09.2014 (Annexure A-7 to the O.A) as per rules and regulations within a specific time frame.

Though no notice has been issued to the respondents, I find that it would not be prejudicial to either of the sides if such prayer of the ld. counsel for the applicant is allowed.

5. Accordingly, the Respondents No. IV i.e the Senior Divisional Personnel Officer, South Eastern Railway, Kharagpur Division or any other competent authority is directed to consider and dispose of the representation of the applicant dated 01.09.2014 (Annexure A-7 to the O.A) keeping in view the rules and guidelines governing the fields within a period of 6 weeks from the date of receipt of a copy of this order and communicated the decision to the applicant forthwith.



6. Though I have not gone into the merit of the matter, after such consideration, if the applicant is found to be entitled to the benefits as claimed in this matter, he may be granted the same within a further period of 6 weeks from the date of taking decision in the matter.

7. With the above observations and directions, both the O.A and M.A stands disposed of. No cost.

(A.K Patnaik)
Member (J)

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