



O.A.350/1023/2018

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
KOLKATA BENCH.

DETAILS OF THE APPLICATION:

Asgari Begum, daughter of late Md. Israil, aged about 32 years, residing at No. 1, Sultanpur, Santragachi, Post Office – Jagacha, District – Howrah, Pin 711 111, West Bengal.

...APPLICANT.

-V E R S U S-

PARTICULAR OF THE RESPONDENTS:

- (i) Union of India, through the General Manager, South Eastern Railway, Garden Reach Road, Kolkata 700043
- (ii) The Chief Personnel Officer (Commercial), South Eastern Railway, 14, Strand Road, Kolkata 700 001
- (iii) The Senior Divisional Personnel Officer, South Eastern Railway, Kharagpur, Pos: Office and P.S. – Kharagpur, District – Paschim Medinipur.

...RESPONDENTS.

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

No.O A /350/1023/ 2018

Date of order: 20.07.2018

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

For the applicant : Mr. A. Chakraborty, counsel

For the respondents : None

O R D E R(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 relief:-

" An order do issue directing the respondents to release settlement dues of Mohammed Israil (Since deceased) in favour of the applicant since her father died while he was in service and also to grant interest."

2. Heard Mr. A. Chakraborty, Id. counsel for the applicant. None appears for the official respondents.
3. Mr. A. Chakraborty, Id. counsel for the applicant submitted that the applicant is the unmarried daughter of the deceased railway employee Md. Israil, her mother died before the death of her father and as she was minor at the time of death of her father, her uncle was drawing the family pension on her behalf being her legal guardian. It is submitted by Mr. Chakraborty that though the applicant has received family pension through her uncle, no pensionary benefits of the deceased have been released in her favour, therefore, she filed a detailed representation to the Respondent No. (iii) on 14.06.2018(Annexure A/3) praying for release of settlement dues of the deceased employee in her father, but received no response to the same till date. Mr. Chakraborty further submitted

received no response to the same till date. Mr. Chakraborty further submitted that the applicant would be satisfied for the present if a direction is given to the Respondent No.(iii) i.e. the Senior Divisional Personnel Officer, South Eastern Railway, Kharagpur to consider and dispose of the representation of the applicant dated 14.06.2018(Annexure A/3) as per rules within a specific time frame.

4. 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.

5. Accordingly the Respondent No.(iii) i.e. the Senior Divisional Personnel Officer, South Eastern Railway, Kharagpur is directed to consider and dispose of the representation of the applicant dated 14.06.2018(Annexure A/3) 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 consequential benefits to her within a further period of six weeks from the date of taking decision in the matter.

6. 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.

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

8. As prayed by Id. counsel for the applicant, a copy of this order along with the paper book be transmitted to Respondent No.(iii) by the Registry by speed post for which Id. counsel for the applicant shall deposit the cost within a week.

(A. K. Patnaik)
Judicial Member

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