



CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

OA 350/01061/2018

Manju Mal, widow of Late Dipak Kumar Mal (Ex. REF MECH GR-I,
Staff No. 07091783) aged about 49 years. by Profession -
Pensioner, at present residing at 30/6, Thakur Ramkrishna Lane,
P.O. Santragachi, Howrah. 711104

Applicant

- Vs -

1. Union of India through General Manager.
South Eastern Railway.
Garden Reach. Calcutta - 700043.
2. Divisional Railway Manager. South Eastern Railway.
Kharagpur, Pin - 721301
3. Sr. Divisional Personnel Officer. South Eastern Railway.
Kharagpur, Pin - 721301
4. Sr. Divisional Commercial Manager. South Eastern Railway.
Kharagpur, Pin - 721301

Respondents

Alc

No. O.A. 350/01061/2018

Date of order: 23.7.2018

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

For the Applicant : Mr. C. Sinha, Counsel

For the Respondents : None

ORDER (Oral)**A.K. Patnaik, Judicial Member:**

Heard Mr. C. Sinha, Ld. Counsel for the applicant.

2. This Original Application has been filed by the applicant under Section 19 of the Administrative Tribunal Act, 1985 seeking the following relief:-

"(a) To direct the respondents to grant 100% of family pension to the applicant w.e.f the date Debolina Mal got married and the share of family pension in favour of Debolina Mal have seized, forthwith with all consequential benefits.

(b) Any other order or orders as the Hon'ble Tribunal deems fit and proper."

3. As prayed for by Mr. C. Sinha, Ld. Counsel for the applicant, that the applicant is the widow of Late Dipak Kumar Mal, who expired on 24.1.2008 leaving behind the applicant and Debolina Mal. She submitted a representation regarding payment of family pension and since no action was taken filed an O.A. No. 254 of 2008, which was disposed of vide Order dated 1.4.2008 pursuant to which the family pension was apportioned between her and Debolina Mal in 50:50 ratio. That in the month of December, 2017 Debolina Mal got married and therefore 100% family pension be granted in favour of the applicant. The applicant submitted a representation on 2.5.2018, which is still pending consideration.

4. Mr. Sinha, Ld. Counsel for the applicant submitted that the grievance of the applicant would be more or less addressed if a specific order is passed by directing the concerned authority i.e. respondent No. 3 to dispose of the representation dated 2.5.2018 within a specific time frame.

WAC

5. Therefore, I dispose of this O.A. by directing the respondent No. 3, that if any such representation as claimed by the applicant has been preferred on 2.5.2018 and the same is still pending consideration, then the same may be considered and disposed of within a period of six weeks from the date of receipt of this order.
6. 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. 3 within a further period of three months from the date of such consideration to extend the benefits of compassionate appointment to the applicant. However, if in the meantime the said representation stated to have been preferred on 2.5.2018 has 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.
7. With the aforesaid observation and direction, the O.A. is disposed of.
8. As prayed for by Mr. C. Sinha, Ld. Counsel a copy of this order along with paper book be transmitted to the respondent No. 3 by speed post for which Mr. Sinha undertakes to deposit necessary cost in the Registry by the next week.

(A.K. Patnaik)
Judicial Member