

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

No.O A /350/1072/ 2017

Date of order: 16.07.2018

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

Chandana Senapati,
Wife of Ramesh Senapati,
Daughter in law of Sukdeb,
Resident of Quarter No. 301, South Side,
Post Office – Kharagpur,
Police Station – KGP (T),
District – Paschim Medinipur,
West Bengal, Pin Code No.

..... Applicant.

-Versus-

1. Union of India,
Through the General Manager,
South Eastern Railway,
Garden Reach,
Kolkata – 700 013.
2. Divisional Railway Manager,
South Eastern Railway,
Kharagpur,
Post Office – Kharagpur,
District – Paschim Medinipur,
Pin Code No. 721301.
3. The Senior Divisional Personnel Officer,
South Eastern Railway,
Kharagpur,
District – Paschim Medinipur,
Pin Code No. 721 301.
4. SSE TL51 Kharagpur,
South Eastern Railway,
Kharagpur,
District – Paschim Medinipur,
Pin – 721 301.
5. Workshop Personal Officer,
South Eastern Railway,
Kharagpur.

..... Respondents.

For the applicant : Mr. K.C. Saha, counsel

For the respondents : Mr. B.P. Manna, counsel

ORDER(Oral)

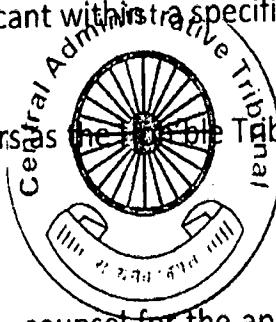
A. K. Patnaik, Judicial Member

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

"a) To issue direction upon the respondent Authorities to disburse the respective shares of the service benefits (Provident fund, gratuity, Insurance with 12% interest and any other service benefit) immediately.

b) To issue further direction upon the respondent authority to consider the representation of the applicant within a specified period;

c) Any other order or orders as the Tribunal deem fit and proper".



2. Heard Mr. K.C. Saha, Id. counsel for the applicant and Mr. B.P. Manna, Id. counsel for the respondents.

3. Id. counsel for the applicant Mr. K.C. Saha submitted that though the applicant filed a detailed representation to the Respondent No.4 dated 28.09.2016(Annexure A/4) followed by representation dated 05.01.2017(Annexure A/5) ventilating her grievances therein, she received no response to her representations till date. Mr. Saha further submitted that the applicant would be satisfied for the present if a direction is given to the Respondent No.4 i.e. the SSE TL51 Kharagpur, South Eastern Railway to consider and dispose of the last representation of the applicant dated 05.01.2017(Annexure A/5) as per rules within a specific time frame.

[Signature]

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.

4. Accordingly earlier notice is hereby withdrawn. The Respondent No.4 i.e. the SSE TL51 Kharagpur, South Eastern Railway is directed to consider and dispose of the representation of the applicant dated 05.01.2017(Annexure A/5) 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 disbursement of the retiral benefits within a further period of eight weeks from the date of taking decision in the matter.

5. 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.

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

7. As prayed by Id. counsel for the applicant, a copy of this order along with the paper book be transmitted to Respondent No.4 by the Registry for which Id. counsel for the applicant shall deposit the cost by next Friday i.e. 20.07.2018. A free copy of this order may also be given to the Id. counsel for the respondents.

(A. K. Patnaik)
Judicial Member