

O.A.No.350/1293/2016

Date of order : 02.02.2017

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)

Heard Mr. A. Chakraborty, Id. counsel for the applicant. None appears for the respondents.

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

“(a) An order do issue directing the respondents to delete the names of the married daughters from the pass declaration and service records of the late husband of the applicant No. 1 and to record the name of applicant No. 2, being the dependent unmarried daughter, in the service book of the late husband of the applicant No. 1.

(b) Leave may be granted to file this application jointly under rule 4(5)(a) of the CAT Procedure Rule, 1987”.

3. Id. counsel for the applicants has brought to my notice the representation made by the applicant to the Deputy Chief Mechanical Engineer(Prod), Kharagpur Wheel Shop, S.E. Railway i.e. the Respondent No.3 dated 20.07.2013(Annexure A-4) followed by another representation dated 21.07.2016 addressed to the Senior Divisional Personnel Officer, S.E. Railway, Kharagpur i.e. the Respondent No.2(Annexure A-5) and submitted that no reply has been given by the respondents to the same.

4. Mr.Chakraborty, Id. counsel for the applicant submitted that the husband of

the applicant No. 1 was working as Fitter Grade-I under the Dy. Chief Mechanical Engineer (Prod.), South Eastern Railway, Kharagpur Wheel Shop and he retired from service on 01.09.1985. The husband of the applicant No. 1 expired on 06.09.2000. The applicant No. 1 made a representation requesting the authority to delete the names of the married daughters from the pass declaration and to include the name of the applicant No. 1 for the purpose of availing such benefit on 20.07.2013(Annexure A-4). The applicant No. 1 made a further representation on 21.07.2016(Annexure A-5) with a prayer to delete the names of the married daughters from the pass declaration and service records of her late husband and to record the name of applicant No. 2, being the dependent unmarried daughter in the service book of her late husband, but to no avail.

5. After hearing in extenso, I do not find any justification to keep the matter pending. Therefore, without entering into the merit of the case the Respondents No.2 or 3 is directed to dispose of the representations of the applicant i.e. Annexure A-4 and A-5 by way of a well reasoned order within a period of 2 months from the date of receipt of a copy of this order and communicate the result to the applicants forthwith. It is made clear that if the applicants' case is found to be genuine then expeditious steps be taken by the respondents to extend the benefits to them within a period of 3 months from the date of taking decision in the matter.

6. As prayed by Mr. Chakraborty , a copy of this order along with the paper book may be transmitted to the respondent No.2 and 3 by speed post by the Registry for which Mr. Chakraborty undertakes to deposit the cost by 7th of February, 2017.

7. With these observations the O.A. is disposed of. No cost.

(A.K. PATNAIK)
Judicial Member

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