

O.A. No. 350/1307/2017



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

PARTICULARS OF THE APPLICANT

Chhanda Patra (Pal), Daughter of Late Renupada Patra, aged about years
residing at Bahagram Quarter No. T4/3, Panskura R. S., P.S. Panakura,
District - Purba Medinipur.

..... APPLICANT

VERSUS

(i) The Union of India, through General Manager, South Eastern
Railway, Garden Reach, Kolkata 700 043

(ii) Senior Divisional Personnel Officer, South Eastern Railway,
Kharagpur, Pin Code 721301

..... RESPONDENTS

No.O.A.350/1307/2017

Date of order : 07.03.2018

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

For the applicant : Mr. A. Chakraborty, counsel
Ms. P. Mondal, counsel

For the respondents : None

ORDER (ORAL)**Mr. A.K. Patnaik, J.M.**

The instant O.A. has been filed by the applicant under Section 19 of the

Central Administrative Tribunals Act, 1985, praying for the following reliefs:-

" An order do issue directing the respondent to consider the case of the applicant for grant of appointment on compassionate ground since she was dependent on her brother who died in harness while he was in service;

2. Heard Mr. A. Chakraborty, leading Ms. P. Mondal, Id. counsel for the applicant. None appears for the respondents.
3. Brief facts of the case as narrated by the Id. counsel for the applicant are that the brother of the applicant, Mr. Tuhin Kumar Patra who was working in the Railways as Chief Commercial Clerk, died on 13.06.2014 while in service. It is submitted by the Id. counsel for the applicant that the applicant is dependent on her brother though she is married. It is further submitted by Id. counsel for the applicant that the mother of the applicant died on 09.02.2015 after death of brother of the applicant. Id. counsel for the applicant also submits that as the husband of the applicant was not looking after her, she has to file an application before the competent authority for divorce. It is submitted by the Id. counsel for



the applicant that the applicant has filed a representation on 06.07.2017(Annexure A/5) ventilating her grievances therein, but no reply has been received by her till date. Being aggrieved the applicant has approached this Tribunal praying for the aforesaid relief.

4. Ld. counsel for the applicant submitted that the applicant would be satisfied for the present if a direction is given to the respondent No.2 i.e. the Senior Divisional Personnel Officer, South Eastern Railway, Kharagpur to consider and dispose of the representation of the applicant dated 06.07.2017 (Annexure A/5) as per rules and regulations governing the field within a specific time frame.

5. Though no notice has been given to the respondents . I am of the view that it would not be prejudicial to either of the sides if a direction is given to the Respondent No.2 to consider and dispose of the representation of the applicant as per rules and regulations in force within a specific time frame.

6. Accordingly the respondent No.2 i.e. the Senior Divisional Personnel Officer, South Eastern Railway, Kharagpur is directed to consider and dispose of the representation of the applicant dated 06.07.2017(Annexure A/5) as per the rules and regulations in force by passing a well reasoned order within a period of six weeks from the date of receipt of this order, if such representation is still lying pending for consideration , and communicate the decision to the applicant forthwith. After such consideration, if the decision of the respondents goes in favour of the applicant, the consequential benefits may be given to the applicant within a further period of six weeks from the date of taking decision in the matter.



7. It is made clear that I have not gone into the merits of the case and all the points raised in the representation are kept open for consideration by the respondent authorities as per rules and guidelines governing the field.

8. As prayed by the Id. Counsel for the applicant, a copy of this order along with the paper book may be transmitted to the Respondent No.2 by the Registry by speed post for which Id. counsel for the applicant shall deposit the cost within a week.

9. With the above observations the O.A. is disposed of. No order as to cost.

(A.K. Patnaik)
Judicial Member

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