



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. NO. 1359 OF 2016

Smt. Sughara Devi wife of late Hari ^{Ram} Nath Saraj as house wife, aged about 50 years, residing at Vill. Sansarapur, P.O. Chaksunerpur, Dist. Santravidas Bhadohi (U.P.), Pin. 221304.

...Applicant

-versus-

1. Union of India , service through the General Manager, Eastern Railway , Fairlie place,Kolkata-700001.
2. The Divisional Railway Manager , Eastern Railway, Howrah Division, Howrah-1

.....Respondents.

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No. O.A. 350/1359/2016

Date of order: 21.2.2017

Present : Hon'ble Mr. A.K. Patnaik, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

For the Applicant : Mr. J.R. Das, Counsel

For the Respondents : None

O R D E R (Oral)

Per A.K. Patnaik, Judicial Member:

Heard Mr. J.R. Das, Ld. Counsel for the applicant. No affidavit of service has been filed by the applicant.

2. The applicant has filed this O.A. under Section 19 of the AT Act, 1985 challenging the action of the respondents for non-grant of Ex-gratia lump sum compensation of the husband of the applicant late Hari Ram Saraj who died in harness on 15.12.1998 and non-consideration of several representations made by the applicant for granting ex-gratia lump sum compensation of the late husband of the applicant with the following reliefs:-

- a. An order directing the respondent to consider the case of the applicant for Ex-gratia lump sum compensation forthwith along with interest as admissible under the rules without any delay tactics.
- b. An order directing the respondents to deal with and disposed of the representations made by the applicant herein in terms of Railway Board Circulars.
- c. An order directing the respondents to give benefit of judgment in O.A. No. 217 of 2013 dated 11.4.2013 passed by the Hon'ble Tribunal, Calcutta Bench.
- d. To direct the respondent authority to produce all records of the case at the time of adjudication for conscientious justice.
- e. And to pass such further other order or orders as your Lordships may seem fit and proper."

2. The Ld. Counsel for the applicant submitted that the husband of the applicant died due to an accident on 15.12.1998. The applicant i.e. the widow of the deceased made a representation seeking lump sum compensation in her favour on 12.3.2016 but till date she has not received

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any response.

4. Therefore, without waiting for the reply we think it appropriate to dispose of this O.A. by directing the respondent No.1 that if any such representation has been preferred on 12.3.2016 and still pending consideration then the same may be considered and disposed of by way of a well reasoned order within a period of two months and if after such consideration the applicant's grievance is found to be genuine then expeditious steps may be taken within a further period of three months from the date of such consideration to extend those benefits to the applicant.

5. A copy of this order along with paper book be transmitted to the respondent No. 1 by speed post for which Mr. J.R. Das undertakes to deposit necessary cost within a period of 7 days.

6. With the aforesaid observation and direction, the O.A. is disposed of. No costs.

7. It is made clear that we have not expressed any opinion on the merits of the case. All points are kept open for consideration by the respondent No. 1.

(Jaya Das Gupta)
Administrative Member

(A.K. Patnaik)
Judicial Member

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