

**LIBRARY**

**BEFORE THE CENTRAL ADMINISTRATIVE  
TRIBUNAL CALCUTTA BENCH**

O.A. NO. 1361 OF 2016

Mustari Bibi wife of late Md. Ismail, Ex keyman  
SSE/PWI Eastern Railway Burdwan, aged about  
years, residing at Railway Quarter No 15/B Jaugram,  
P.O.- Jaugram, P.S.- Jamalpur, Dist.-Burdwan, Pin.-  
713166

.....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. 350/1361/2016

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. P.C. Das, Counsel

For the Respondents : None

**ORDER (Oral)**

**Per A.K. Patnaik, Judicial Member:**

Heard Mr. P.C. 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 Md. Ismail who died in harness on 13.4.2007 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 conscionable 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 13.04.2007. The applicant i.e. the widow of the deceased made a representation seeking lump sum compensation in her favour on 8.12.2015 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. 2 that if any such representation has been preferred on 8.12.2015 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. 2 by speed post for which Mr. P.C. 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. 2.

(Jaya Das Gupta)  
Administrative Member

(A.K. Patnaik)  
Judicial Member

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