



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA

In the matter of :-

O.A.No. 350/1607/2016

An application u/s 19 of the A.T.Act,
1985 ;

And

In the matter of :-

MRS. KRISHNA ROY

Daughter of late Mainidra Nath Roy and

Late Sankari Roy,

wife of Bachhu Paul (divorced),

aged about- 47 years, by occupation,

residing at:- C/O. Mr. Manabendra Roy

P.O+Vill- Bholar Dabri, Alipurduar.

P.S+Dist-Alipurduar-736123.

...Applicant...

-versus -

1. Union of India ,through the
General Manager, Northeast Frontier Rly
Maligaon.Guwahati-11.Assam-781011.

2. The Chief Personnel Officer
Northeast Frontier Railway.Maligaon.
Guwahati-11.Assam-781011.

Krishna Roy

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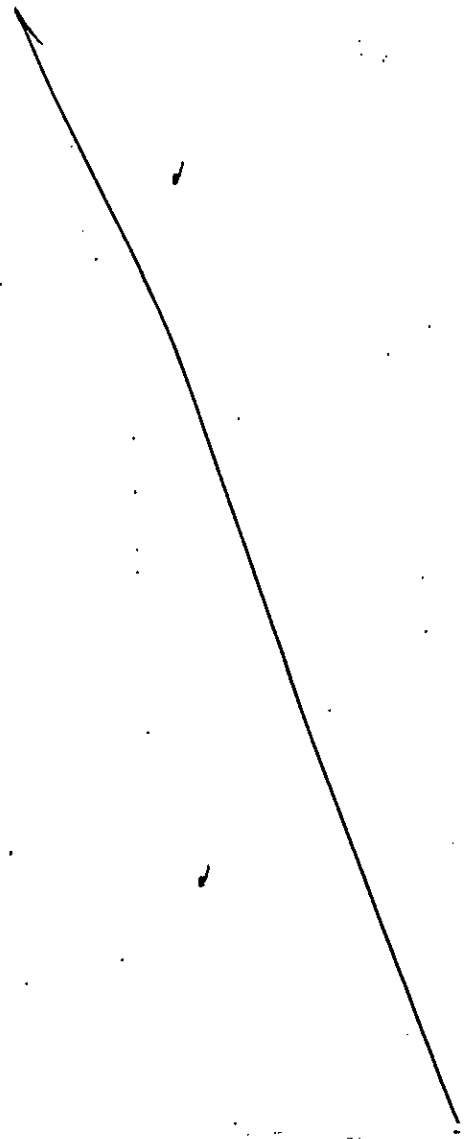
3. The Divisional Railway Manager
Northeast Frontier Railway ~~03010700~~
Alipurduar Junction Division. Alipurduar
P.S+Dist-Alipurduar-736121.

4. The Sr. Divisional Personnel Officer/
Divisional Personnel Officer-I/C
Alipurduar Junction Division.
Northeast Frontier Railway. Alipurduar.
P.S+Dist-Alipurduar-736121.

...Respondents...

Details of the application

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

For the Applicant : Mr. K. Chakraborty, Counsel

For the Respondents : Mr. P. Prasad, Counsel

ORDER (Oral)

A.K. Patnaik, Judicial Member:

Heard Mr. K. Chakraborty, Ld. Counsel appearing for the applicant and Mr. P. Prasad, Ld. Counsel appearing for the respondents.

2. This OA has been filed by Mrs. Krishna Roy, daughter of Late Manindra Nath Roy challenging non-consideration of her pending representation seeking family pension being a divorced daughter of the deceased railway employee and as such non-granting of family pension in favour of her being 'Divorced daughter'. This O.A. has been filed praying for the following reliefs:

"A) Do issue mandate on the respondents, their men and agents and each of them to forthwith sanction and release the entitled amount of Family Pension in favour of the applicant w.e.f. 24.2.2016 i.e, the date of applicant became eligible and entitled to get such family pension.

B) Do issue mandate upon the respondents, their men and agents and each of them to forthwith grant and release all the arrears of such Family Pension w.e.f. 24.2.2016 with admissible rate of interest on the said total sum of such arrear amount of Family Pension to the applicant;

C) Do issue mandate upon the respondents, their men and agents and each of them to forthwith certify and transmit all the papers and documents in connection with the instant lis before this Id Tribunal for kind perusal and on such kind perusal do conscionable justice to the applicant;

D) Grant cost of this proceeding in favour of the instant applicant.

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E) Pass such other or further order or orders, direction or directions, mandate or mandates as may appear to be fit and proper."

3. The facts in a nut shell as per Mr. Chakraborty are that on the death of her father the applicant being an unemployed, divorced, dependent daughter of her deceased father applied for Family Pension which has remained unheeded to by the respondent authorities. Hence she has filed this O.A. inter alia on the grounds whether the respondents are justified in not answering to her application.

4. Mr. Chakraborty, Ld. Counsel for the applicant submitted that the grievance of the applicant would be more or less addressed if a specific order is passed by directing the concerned authority i.e. respondent No. 3 to dispose of the representation dated 25.3.2016 within a specific time frame.

5. Though no notice has been issued still then we think it appropriate to dispose of this O.A. without waiting for reply by directing the respondent No. 3, that if any such representation have been preferred on 25.3.2016 and the same is still pending consideration, then it may be considered and disposed of by way of a well-reasoned order within a period of one month from the date of receipt of a copy of this order under communication to the applicant 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 such benefits to the applicant.

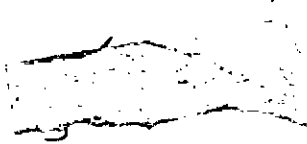
6. We make it clear that we have not gone into the merits of the matter and all points are kept open for the respondents to consider the same as per the rules and regulations in force.

7. A copy of this order along with paper book be transmitted to the respondent No. 3 by speed post for which Mr. Chakraborty undertakes to

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deposit necessary cost in the Registry within a week.

8. With the aforesaid observation and direction, the O.A. is disposed of.



(Jaya Das Gupta)
Administrative Member



(A.K. Patnaik)
Judicial Member

SP