

CENTRAL ADMINISTRATIVE TRIBUNAL,
CALCUTTA BENCH, KOLKATA

O.A. 350/01608/2015

Date of Order : 19-11-2015

Present : Hon'ble Mr G. Rajasuria, Judicial Member

SMT. BELI BANSFORE

Vs.

UNION OF INDIA & ORS. (E. Rly.)

For the Applicants : Mr. P.C. Das, Counsel

For the Respondents : Mr. A.K. Banerjee, Counsel

ORDER (ORAL)

JUSTICE G. RAJASURIA, JM,

Heard both. This O.A has been filed seeking the following reliefs :

"8.(i) An order directing the respondent to consider the Representation dated 15.12.2014 as early as possible.

(ii) An order directing the respondents to release widow daughter family pension as Rly. Board circular dated 26.09.2013.

(iii) And to pass such further order or orders as your Lordship's may seem fit and proper.

(iv) Cost."

2. The learned counsel for the applicant would narrate the germane facts thus :

One Mangal Basfore who died in harness on 13.04.2012 while working as Carpenter Grade-I in Kanchrapara Workshop of Eastern Railway, 24 Pargana North left behind his widowed daughter namely the applicant herein. The widow pre-deceased him. The applicant sought for compassionate appointment to the FA & CAO of the respondents. Since there is no reply this O.A has been filed. Hence he prays for a suitable direction in this regard.

3. Per contra, the learned counsel for the respondents would submit that the said application was not addressed to the appropriate authority, because the deceased employee was not working under respondent No.2, the Divisional Railway Manager, Sealdah Division. The respondent No.3 might be the apex authority for processing the pension papers and take a decision, yet the Chief

Workshop Manager of Kanchrapara is the proper authority who should have been addressed. Since no representation was made to him no reply could be given.

4. As of now the matter lies within a narrow campus. Now the issue is as to whether the application for compassionate appointment was submitted before the appropriate authority or not. I would like to point out that respondent No.2 the Apex authority, could forward the representation to the Chief Workshop Manager, Kanchrapara for processing the matter and issue a speaking order. In the meanwhile, to save time there would be no difficulty in submitting a representation to the Chief Workshop Manager, Kanchrapara by the applicant specifying that earlier such a representation was already made to respondent No.3. As such respondent No.3, on receipt of a copy of the order within 3 months pass a speaking order and communicate the result to the applicant.

O.A is accordingly disposed of. No costs.

(G. RAJASURIA)
JUDICIAL MEMBER

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