

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH



No. OA 350/1625/2016

Date of order : 24.1.2017

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

**EMAMUL HAQUE**

S/o Late Sk. Suleman,  
Head Peon (Retired), of  
Principal Chief Engineer's Office,  
South Eastern Railway,  
Garden Reach under SEN/TM/GRC  
Aged about 60 years,  
R/o Rly. Qtr. No.21/16, Unit-8,  
South Colony, Garden Reach Road,  
Kolkata - 700043.

...APPLICANT

VERSUS

1. Union of India, through  
The General Manager,  
South Eastern Railway,  
11 Garden Reach Road,  
P.O.-South Eastern Railway,  
Kolkata - 700043.
2. The Principal Chief Engineer,  
South Eastern Railway,  
11 Garden Reach Road,  
P.O.-South Eastern Railway,  
Kolkata - 700043.
3. The Dy. Chief Engineer/TM  
South Eastern Railway,  
11 Garden Reach Road,  
P.O.-South Eastern Railway,  
Kolkata - 700043.
4. The Executive Engineer,(TM),  
Disciplinary Authority,  
- South Eastern Railway,  
11 Garden Reach Road,  
P.O.-South Eastern Railway,  
Kolkata - 700043.
5. The Chief Personnel Officer,  
South Eastern Railway,  
11 Garden Reach Road,  
P.O.-South Eastern Railway,  
Kolkata - 700043.
6. The Asst. Personnel Officer (Sett)  
South Eastern Railway,  
11 Garden Reach Road,  
P.O.-South Eastern Railway,  
Kolkata - 700043.

...RESPONDENTS.

For the applicant : Mr.B.Chatterjee, counsel

For the respondents: Mr.B.L.Gangopadhyay, counsel

O R D E R

Mr.A.K.Patnaik, J.M.

This OA has been filed by the applicant under Section 19 of the A.T. Act, 1985 for non-consideration of representation dated 20.7.16 in relation to settlement of retirement dues and pension, with the following prayers :

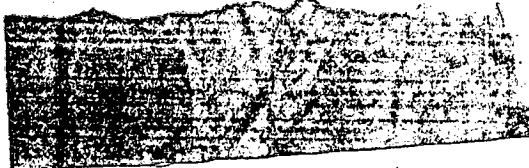
- a) An order directing the respondents authority to disburse the post retirement benefits and monthly pensions along with arrears in favour of the applicant at the earliest with 18% interest per annum thereon till the date of actual payment and pay other consequential benefits.
2. Heard Mr.B.Chatterjee, Id. Counsel appearing for the applicant and Mr.B.L.Gangopadhyay, Id. counsel appearing for the respondents.
3. Drawing our attention to the representation dated 20.7.16 at Annexure A/9 Id. Counsel for the applicant submitted that the grievance of the applicant more or less will be redressed if a direction is issued to respondent No.3 to consider the said representation dated 27.2.16 within a specific time frame. Id. Counsel for the respondents prays for some time to take instruction.
4. After hearing in extenso we find that it will not be prejudicable to either side if OA is disposed of with a direction to the respondent No.3 to consider and dispose of the representation dated 27.2.16 as per the rules governing the field. We are satisfied with the arguments advanced by the Id. Counsel for the applicant and think it proper to dispose of this matter by directing the respondent No.2 to consider the representation of the applicant if it is still pending consideration and communicate the result thereof by way of a well-reasoned order within a period of 6 weeks from the date of receipt of this order. Though we have not expressed any opinion on the merit of the matter and all the points raised in the said representation stated to have been made on 27.2.16 are kept open for the said respondent No.3 to consider the same as per the rules governing the field, still then we hope and trust that after such consideration if the applicant's grievance is found to be genuine then

expeditious steps may be taken within a further period of 2 months from the date of such consideration to extend those benefits to the applicant.

5. With the aforesaid observation and direction the OA is disposed of.
6. A copy of the order be handed over to Id. Counsel for both sides.



(JAYA DAS GUPTA)  
MEMBER (A)



(A.K. PATNAIK)  
MEMBER (J)

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