



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL,
CALCUTTA BENCH, NIZAM PALACE,
234/4, A.J.C. BOSE ROAD,
KOLKATA-700020.

O.A. No. 1766 of 2017

In the matter of :

Smt. Chanruti Devi, wife of Late
Ganga Sagar Goala, aged about 49
years, Village - Buranabhir, Post
Office - Bharsara, Police Station -
Behiya, District - Bhojpur, Bihar, Pin
- 802152;

...Applicant

-Versus-

1. Union of India, service through
the General Manager, Eastern
Railway, 17, Netaji Subhas Road,
Kolkata-700001;

2. The Divisional Railway Manager,
Howrah Division, Howrah -711101;

...Respondents



Al

No. O.A. 350/01766/2017

Date of order: 23.5.2018

Present : Hon'ble Mr. A.K. Patnaik, Judicial Member

For the Applicant : Mr. L.M. Ghosh, Counsel

For the Respondents : None

ORDER (Oral)

A.K. Patnaik, Judicial Member:

Heard Mr. L.M. Ghosh, Ld. Counsel for the applicant.

2. This Original Application has been filed by the applicant under Section 19 of the Administrative Tribunal Act, 1985 seeking the following relief:-

- "(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's Circulars.
- (c) An order directing the respondents to give benefit of judgment in O.A. No. 217/2013 dated 11.4.2013 passed by the Hon'ble Tribunal Calcutta Bench.
- (d) To direct the respondent authorities to produce all records of the case at the time of adjudication for conscionable justice.
- (e) And to pass such further order or orders as your Lordship may deem fit and proper."

3. As prayed for by Mr. L.M. Ghosh, Ld. Counsel for the applicant, the husband of the applicant was an employee of Eastern Railway. He met with an accident on 18.1.2011 arising out of and in the course of his employment. The applicant filed a claim for compensation before Ld. Commissioner for Workmen's Compensation at Calcutta, West Bengal against the respondent Railway and the said case was allowed. The applicant prayed before the Railway authorities for payment of ex-gratia lump sum compensation in terms of the Railway Boards circular due to the accidental death of her husband and preferred representation dated 20.9.2017, which are still pending consideration.

4. Mr. Ghosh, 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. 1 to dispose of the representation dated 20.9.2017 within a specific time frame.

5. Therefore, I dispose of this O.A. by directing the respondent No. 1 that if any such representation as claimed by the applicant has been preferred on 20.9.2017 and the same is still pending consideration, then the same may be considered and disposed of within a period of six weeks from the date of receipt of this order.

6. Though I have not entered into the merits of the case still then I hope and trust that after such consideration if the applicant's grievance is found to be genuine then expeditious steps may be taken by the concerned respondent No. 1 within a further period of 6 weeks from the date of such consideration to extend the benefits to the applicant. However, if in the meantime the said representation stated to have been preferred on 20.9.2017 has already been disposed of then the result thereof be communicated to the applicant within a period of 2 weeks from the date of receipt of a copy of this order.

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

8. As prayed for by Mr. Ghosh, Ld. Counsel a copy of this order along with paper book be transmitted to the respondent No. 1 by speed post for which Mr. Ghosh undertakes to deposit necessary cost in the Registry by the next week.


(A.K. Patnaik)
Judicial Member