

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No. OA 350/1799/2015

Date of order : 31.1.2018

Present: Hon'ble Ms. Manjula Das, Judicial Member

**SOFIA BROWN &
PATRICIA BROWN**
D/o Late G.P.Brown,
R/O Vill.- Sonamukhi Jholi,
PS – Hijli, PS – Kharagpur,
Dist. – Paschim Medinipore,
Pin – 721306.

...APPLICANT

VERSUS

1. The General Manager,
South Eastern Railway,
Garden Reach,
Kolkata – 700043.
2. The Sr. Divisional Personnel Officer,
South Eastern Railway,
Kharagpur,
PO & PS – Kharagpur,
Dist. – Paschim Medinipore,
Pin – 721301.

...RESPONDENTS.

For the applicant : Mr.A.Chakraborty, counsel
Ms.P.Mondal, counsel

For the respondents: Ms.Gargi Roy, counsel

O R D E R (ORAL)

Per Ms. Manjula Das, Judicial Member

Mr.A.Chakraborty, 1d. Counsel assisted by Ms.P.Mondal, 1d. Counsel appears for the applicant and Ms. Gargi Roy, 1d. Counsel appears for the respondents.

2. The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs :

- a) An order do issue directing upon the respondents to act and proceed in accordance with the provisions of law;
- b) An order do issue directing the respondents to grant family pension in favour of the applicant with effect from the date of the death of the mother of the applicant and to grant all consequential benefits along with the interest accrued thereon;

- c) Costs and other incidentals to take out this application;
- d) To pass such other order/orders and or direction/directions, as this Hon'ble Court may deem fit and proper;
- e) Leave may be granted to file this original application jointly under Rule 4(5)(a) of the CAT (Procedure) Rules, 1987.

3. On 6.12.2017 when the matter came up for hearing, 1d. Counsel for the respondents submitted that the competent authority has decided to grant family pension in favour of the unmarried daughter but certain documents are required to be submitted by the applicant before the authorities, but till date the applicant has not submitted those documents before the respondent authorities. Accordingly this Tribunal directed the 1d. Counsel for the respondents to take instruction of the present status of the case so that the case may be disposed of early.

4. Today when the matter is taken up 1d. Counsel for the applicant submitted that despite informing, the applicant has not turned up and therefore he is unable to obtain instruction from his client. 1d. Counsel for the applicant further prayed before this Court that the matter be disposed of with a direction to appear before the respondent authorities with the relevant documents as sought for by the respondents and thereafter the respondent authorities shall take a decision.

5. The respondent authorities vide their letter dated 20.7.2017 addressed to the 1d. Counsel for the Railway intimated that –

“The competent authority has decided to grant family pension in favour of the unmarried daughter and accordingly few documents were sought for from the applicants vide letter dated 19.10.2016 followed by reminders dated 16.12.2016, 20.3.2017 and 19.7.2017. But till date no information as well as the required documents have been received from the applicant resulting the family pension case cannot be processed.”

6. By accepting the prayer made by the 1d. Counsel for the applicant and taking note of the letter of the respondent authorities dated 20.7.2017, I dispose of the OA by directing the applicant to approach before the authority along with the required documents as sought for by the respondent authorities within a month from the date of receipt of this order, so as to enable the department to complete the process of granting family pension to the applicant.

7. With the above observation and direction OA is disposed of. No order as to costs.

8. Registry is directed to serve the copy of this order to the applicant in his proper address by registered post.

(MANJULA DAS)
JUDICIAL MEMBER

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