

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No. O.A. 350/01908/2015

Date of order: 15.1.2018

Present: Hon'ble Dr. Nandita Chatterjee, Administrative Member

**Smt. Kanchan Sarkar,
Wife of Late Ramendralal Sarkar,
Village - Ardhivok, Moina,
Post Office - Noapara,
Police Station - Barasat,
District - North 24 Parganas,
Kolkata - 700 125.**

.. Applicants

Vs.

- 1. The Union of India,
Service through the
Office of the Additional General Manager & Director,
Eastern Railway,
Fairlie Place, 17, Netaji Subhas Road,
Kolkata - 700 001.**
- 2. The Divisional Railway Manager,
Eastern Railway,
Fairlie Place, 17, Netaji Subhas Road,
Kolkata - 700 001.**
- 3. The Chief Personnel Officer,
Eastern Railway Headquarters,
Fairlie Place, 17, Netaji Subhas Road,
Kolkata - 700 001.**
- 4. Divisional Personnel Officer,
Eastern Railways,
Sealdah Division,
Divisional Railway,
Manager's Office,
Eastern Railway/Sealdah Division,
Kaiser Street,
Kolkata - 700 014.**
- 5. The Divisional Signal & Telecom Engineer,
Eastern Railway, Sealdah Division,
Divisional Railway Manager's Office,
Eastern Railway/Sealdah Division,
Kaiser Street, Kolkata - 700 014.**

.. Respondents

For the Applicant : Mr. P. Biswas, Counsel

For the Respondents : Ms. C. Mukherjee, Counsel

ORDER

Per Dr. Nandita Chatterjee, Administrative Member:

Ld. Counsel for the applicants and respondents are present and heard.

2. Heard Ld. Counsel for the applicant at length, who submits that despite being the legally wedded wife of the deceased employee, the applicant has not been favoured with family pension.

3. That, the applicant had also obtained a Succession Certificate under Indian Succession Certificate from the Court of Ld. District Delegate, North 24-Parganas, Barasat. That the deceased employee had tried to nominate her as the beneficiary of the family pension but the said nomination was not accepted by the authorities on the ground that there are no documents to prove that the first wife of the employee had divorced or had gone missing or had expired during the life time of marriage of the applicant. The applicant had, with all details, such as, Service Book, PPO, Service certificate, marriage certificate, succession certificate, ration card, voter identity card submitted her application acknowledged as on 22.2.2012 to respondent No. 2; the application, however, has not been considered till date.

4. Hence, without entering into the merits of the matter, I dispose of the same by instructing the Respondent No. 2, that is the Divisional Railway Manager, Eastern Railway, to pass a reasoned and speaking order taking into account the extant rules and guidelines of the authorities within a period of six weeks from the date of receipt of a copy of this order. Needless to say that the application annexed as Annexure "A-4" to the O.A. ought to have been received by the respondent no. 2 prior to passing of any orders on the same.

5. The O.A. is, accordingly, disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

SP

