

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No. MA. 350/224/2016
OA. 350/1118/2015

Date of Order: 16.01.2018

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

Ku. M. Laxmi, daughter of late M. Varhaloo,
Aged about 60 years, residing at Quarters No.
T/5, Unit No. 2, R/Yard Station, P.O. Nimpura,
P.S. Kharagpur, District- Paschim Medinipur,
Pin- 721301, West Bengal.

.....Applicant.

-versus-



1. Union of India, service through the Manager, S.E. Railway, Garden Reach, Kolkata- 700043.
2. The Chief Personnel Officer, S.E. Railway, Garden Beach, Kolkata – 700043.
3. Divisional Railway Manager, (Personnel), S.E. Railway, Kharagpur, Pin- 721301.

.....Respondents.

For the Applicant : Mr. P. Sanyal, Counsel

For the Respondents : None

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Mr. P. Sanyal, learned counsel for applicant, submits that MA. 350/224/2016 arising out of OA. 350/1118/2015 has been filed seeking modification of the Tribunal's order dated 23.11.2015 to the extent that the applicant actually had made representations thereby exhausting available

departmental remedies (Annexure A-6 to the OA).

The order dated 23.11.2015 is perused and it is seen that there are two specific parts of the order whereby the representations are consciously acknowledged as follows:

“3.....Thereafter the applicant preferred a representation to the Chief Personnel Officer on 25.09.2012 with evidence in support of her claim. The said representation has not been disposed of till date, as specifically pleaded.

.....Since then the applicant i.e. the unmarried daughter of the deceased employee started making representations to the Railway authorities for grant of family pension in her favour which remained suspended since the death of her mother. The married daughter of the deceased employee having declined to accept the family pension, it is the applicant who is eligible to get the family pension.”

2. In this context as the Tribunal's order had acknowledged the plurality of representations made by the applicant, the scope of modification does not arise and the MA rendered infructuous.
3. Accordingly, the MA stands disposed of as infructuous.

(Dr. Nandita Chatterjee)
Member (A)

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