



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, 234/4 A.J.C Bose Road Nizam Palace Kolkata**

ORDER SHEET

COURT NO. : 1

30.08.2018

O.A./350/253/2017

M.A./350/143/2017

(.ASB)

ITEM NO:22

FOR APPLICANTS(S) Adv. :

KANAN SANTRA

-V/S-

EASTERN RAILWAY

Mr. J.R.Das

FOR RESPONDENTS(S) Adv.:

Mr. S.K.Das

Notes of The Registry	Order of The Tribunal
	<p>Heard Mr. J.R.Das, Ld. Counsel for the applicant, and Mr. S.K.Das, Ld. Counsel appearing for the Official Respondents, on whom a copy of the O.A. has been served.</p> <p>2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:</p> <p>“i) An order do issue directing upon the respondents to disburse the Ex-Gratia lump sum compensation of her husband Late Gadai Santra Since deceased in favour of the applicant within forth with.</p> <p>ii) Order do issue directing upon the respondent to transmit and submits before the Hon’ble Tribunal all the records and paper in connection with the case.</p> <p>iii) Order do issue directing upon the respondent to give interest @ 18% for delay payment of compensation</p> <p>iv) Any other relief or reliefs as may be admissible on the basis of Adjudication of the matter.</p> <p>Cost of the proceedings.”</p> <p>3. Brief facts of the case of the applicant are that she is the wife of Late Gadai Santra, who was working under D.R.M Howrah Division E. Rly and lastly was posted at Dankuni as Track man. Her husband was a Track Man in Eastern Railway Dankuni under Respondent No. 2 and while he was on duty on 10.07.2006 met with a fatal accident and</p>

W/O

sustained severe injuries and was referred to Hospital where he died on 11.07.2006. After the death of her husband, the petitioner approached several times to the respondents authorities to comply the Railway Board's circulars for making payment of lump-sum Ex-gratia compensation amount but the respondent authorities did not consider the same and also have not given specific reply of the same. Subsequently, the applicant preferred a representation on 15.06.2016 (Annexure-A/6) before Respondent No.1 for payment of ex gratia but the same has not been considered and disposed of till date, for which he has moved this Tribunal in the present O.A.

4. Ld. Counsel for the applicant submitted that the grievance of the applicant may be redressed if a specific direction is given to Respondent No.1 to consider the said representation under Annexure-A/6 within a specific time frame.

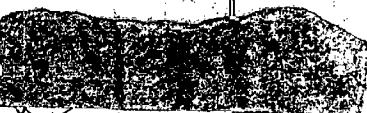
5. Taking into account the submissions made by Ld. Counsel for the applicant, I do not think that it will be prejudicial to either of the sides if this O.A. is allowed to be disposed of. Accordingly, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No.1 to consider the representation as at Annexure-A/6, if any such representation has been preferred and is still pending consideration, and pass a reasoned and speaking order within a period of six weeks from the date of receipt of copy of this order.

6. Although, I have not expressed any opinion on the merit of the matter and all the points raised in the representation, stated to have been made and is still pending consideration before Respondent No.1, will be considered as per Rules and Regulations in force, still then I hope and trust that if after such consideration the case of the applicant is found genuine then expeditious steps may be taken by the Official Respondents to grant him the admissible ex gratia within a further period of three months therefrom. However, I also make it clear that if in the meantime the said representation under Annexure-A/6 has already been considered and disposed of then result of the same be communicated to the applicant within a period of two weeks from the date of receipt of this order.

7. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

8. As prayed for by Ld. Counsel for the applicant, copy of this order along with paperbook be transmitted to Respondent No.1 by Speed Post for which he undertakes to deposit the cost with the Registry by 03.09.2018.

9. Free copies of this order be handed over to the Ld. Counsels for both the sides.



(A.K. PATNAIK)
MEMBER (J)

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