

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No. 270 of 2016

Biswanath Das, son of Late Kali
Pada Das, residing at 9/3, Peary
Mohan Sur Lane, Bedan Street,
Bartalla, Kolkata - 700 006.

..... Applicant.

- Versus -

1. The General Manager, Eastern
Railways, 17, Netaji Subhas Road,
Kolkata - 700 001.

2. The Chief Personnel Officer,
Eastern Railway, 17, Netaji Subhas
Road, Kolkata - 700 001.

3. The Divisional Railway Manager,
Eastern Railway, Howrah Division,

.....

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Biswanath Das

Wd

Office of the Divisional Railway

Manager, Eastern Railway, Howrah -

711101.

4. The Senior Divisional Personnel

Officer, Eastern Railway, Howrah

Division, Office of the Divisional

Railway Manager, Eastern Railway,

Howrah -711101.

5. The Divisional Finance Manager,

Eastern Railway, Howrah Division,

Office of the Divisional Railway

Manager, Eastern Railway, Howrah -

711101.

.....RESPONDENTS

Biswanath Das

BL

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No. OA 350/270/2016

Date of order : 29.6.2017

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

For the applicant : Ms.M.Roy, counsel

For the respondents: Mr.A.K.Banerjee, counsel

O R D E R (ORAL)

Heard Ms.M.Roy, ld. Counsel appearing for the applicant and Mr.A.K.Banerjee, ld. Counsel appearing for the respondents.

2. At the time of hearing Ms.Roy brought to my notice the supplementary affidavit as well as judgment rendered by Hon'ble Apex Court and submitted that the applicant is eligible to get a higher amount of pension because of these documents as well as the well settled position of law. Ms.Roy fairly submitted that as the applicant has already retired, he may be allowed to make a comprehensive representation to respondent No.1 within a period of 2 weeks and the applicant will be more or less satisfied if a specific direction is given to respondent No.1 to consider the comprehensive representation to be made by the applicant, keeping in mind the rules and regulations governing the field.

3. Taking into account such submissions made by the ld. Counsel for the applicant, I do not think it will be prejudicial if the OA is allowed to be disposed of by directing the applicant to prefer a comprehensive representation enclosing all the documents along with the copy of this order and in such an eventuality the respondent No.1 is directed to consider the same and dispose it of as per the rules governing the field and the result be communicated within a period of 3 months from the date of receipt of such representation.

5. I also make it clear that I have not entered into the merit of the matter and all the points raised in the said representation stated to have been made, addressed to the respondent No.1 4 are kept open before the authorities to consider the same as per rules.



6. Though I have not expressed any opinion on the merit of the matter, still then I make it clear that after such consideration if the applicant's grievance is found to be genuine, then expeditious steps may be taken within a period of 3 months from the date of such consideration and the benefits be extended to the applicant within a period of 2 weeks from the date of such consideration.

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

8. As prayed for by Ms.Roy, Id. Counsel for the applicant, a copy of this order along with the paper book of this OA be transmitted to respondent No.1 by Speed Post for which she will deposit the cost with the Registry.

(A.K.PATNAIK)
JUDICIAL MEMBER

In