

**LIBRARY**

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

KOLKATA BENCH

O.A. No. 350/282 of 2018.

Smt. Manju Jeswar, daughter of  
Late Sitala Prasad Jeswar, by  
faith - Hindu, by occupation -  
Unemployed, residing at: 67/BH/  
5, Belgachia Road, P.S.- Ultra-  
danga, Kolkata - 700 037.

..... Applicant.

- Versus -

1. The Union of India, through the  
General Manager, Eastern Railway,  
#7, Netaji Subhas ~~Standar~~ Road,  
Kolkata - 700 001.

2. The Divisional Railway Manager,  
Eastern Railway, Sealdah Division,  
Sealdah, Kolkata - 700 014.

3. The Senior Divisional Personnel  
Officer, Eastern Railway, Sealdah  
Division, Sealdah, Kolkata-700 014.

4. The Senior Divisional Operation  
Manager, Eastern Railway, Sealdah

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Division, Sealdah. Kolkata-700 014.

..... Respondents.

VS

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH  
KOLKATA

O.A. No. 350/00282/2018

Dated : 23.03.2018

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

For the applicant : Mr. N. Roy, Counsel

For the respondents : None

ORDER (Oral)

A.K. Patnaik, Judicial Member

The applicant has filed this application under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- "8.(a) To issue direction upon the respondent authorities consider appointment on compassionate ground forthwith;
- (b) To issue further direction upon the respondent authorities to consider the representation, dated 09.01.2018;
- (c) Any other order or further order or orders as deem fit and proper under the circumstances of the instant case;
- (d) To produce connected Departmental Record at the time of Hearing."

2. I have heard Ld. counsel for the applicant Mr. N. Roy. None appears for the respondents.

3. Brief facts of this case as narrated by the Ld. counsel for the applicant are that the father of the applicant died on 02.09.2012 while in service. It is submitted by the Ld. counsel for the applicant that the mother of the applicant died before expiry of her father on 10.09.2008. Ld. counsel for the applicant submitted that though the Divisional Railway Manager, Eastern Railway, Sealdah

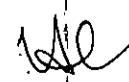
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had issued order regarding payment of settlement dues on 23.12.2014, no settlement dues was paid to the applicant. The ld. counsel for the applicant further submitted that the applicant had filed a Succession Case No.49 of 2015 which was decided on 30.03.2016, a Succession Certificate in favour of the applicant was issued by the Ld. District Delegate at Sealdah on 02.04.2014 and thereafter the payment has been made to her on 23.05.2016. According to the ld. counsel for the applicant, after death of her parents the applicant was suffering from acute financial problems; therefore, she prayed for compassionate appointment to the respondent authorities by filing representation dated 09.01.2018(Annexure A/7) but till date no reply has been given by the respondents. Being aggrieved the applicant has filed this O.A. seeking appropriate reliefs.

4. Ld. Counsel for the applicant Mr. N. Roy submitted that the applicant would be satisfied for the present if a direction is given to the respondent authority concerned to consider and dispose of the representation of the applicant dated 09.01.2018 (Annexure A/7) as per rules and regulations in force within a specific timeframe.

5. Though no notice has been issued to the respondents. I am of the view that it will be prejudicial to either of the sides if a direction is issued to the Respondent No. 2, the Divisional Railway Manager, Eastern Railway, Sealdah Division, Kolkata to consider and dispose of the representation of the applicant as per rules within a specific time frame as prayed by ld. counsel for the applicant.

6. Accordingly the Respondent No. 2, the Divisional Railway Manager, Eastern Railway, Sealdah Division, Kolkata is directed to consider and dispose of the



representation of the applicant the dated 09.01.2018 (Annexure A/7) by passing a well reasoned order as per rules and regulations in force within a period of 6 weeks from the receipt of this order and communicate the decision to the applicant forthwith. Though I have not gone into merits of the case still then I hope and trust that the respondent authority concerned shall extend the benefits as claimed by the applicant in the representation dated 09.01.2018(Annexure A/7) if she is found otherwise entitled for the same as per rules, within a further period 6 weeks from the date of taking decision in the matter.

7. As prayed by Ld. Counsel for the applicant a copy of this order along with paper book be transmitted to the respondent No. 2 for which Ld. counsel for the applicant shall deposit the cost within a week.
8. With the aforesaid observations, the O.A. is disposed of. No order as to cost.



(A.K. Patnaik)  
Member (J)

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