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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

PARTICULARS OF THE APPLICANT:

04/303/18

Subhas Kumar Seal, son of late Paritosh Seal, aged about 65 years, residing T G Road, Arabinda Palley, Post Office – Harinavi, District – South 24 Paraganas, Kolkata 700 148

..... APPLICANT

V E R S U S

- (i) The Union of India, through Secretary to Government of India, Ministry of Labour, Shram Shakti Bhawan, Rafi Marg, New Delhi 110 001.
- (ii) The Chief Labour Commissioner (Central), Govt. of India, Ministry of Labour, Shram Shakti Bhawan, Rafi Marg, New Delhi 110 001
- (iii) The Deputy Chief Labour Commissioner (Central) Govt of India, Ministry of Labour, 2nd MSO Building Nizam Palace, 5th Floor, 244/4 AJC. Bose Road, Kolkata 700 020

..... RESPONDENTS

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

O A/ 350/303/2018

Date of order: 26.04.2018

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

For the applicant : Mr. A. Chakraborty, counsel
Ms. P. Mondal, counsel
For the respondents : None

ORDER

A. K. Patnaik, Judicial Member

This O. A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs :-

"(I) An order do issue directing the respondents to release CGRS money from 31.08.2011 and to grant arrears with statutory interest.

(II) An order do issue directng the respondents to record the name of the wife of the applicant as a nominee in pension since he submitted marriage registration certificate before the authority concerned."

2. Heard Id. counsel Mr. A. Chakraborty leading Ms. P. Mondal, Id. counsel for the applicant. None appears for the official respondents.

3. Brief facts of this case as narrated by the Id. counsel for the applicant are that earlier the applicant had filed a case before this Tribunal being O.A.No.849/2014 which was disposed of vide order dated 01.12.2015 with a direction upon the respondents to release the amount admissible to the applicant in accordance with law. It is submitted by the Id. counsel for the applicant that the applicant received the DCRG and CGIS on 09.12.2016. It is further submitted that the applicant made a representation to the Sr. Accounts Officer, Office of the Pay and Accounts Office(CLC), Shram Shakti Bhavan, Rafi Marg, New Delhi dated 21.12.2016(Annexure A/4) praying for payment of arrears of Medical Allowance

[Signature]

together with interest and interest on the withheld amount of Gratuity and CGEIS and submitted the form No.III giving details of the family with a prayer to record the name of his wife as a nominee in the pension paper, but his prayer has not been considered by the respondents till date though the PAO, CLC(c), New Delhi has been requested by the Deputy Chief Labour Commissioner(Central), Kolkata to personally look into the matter. Being aggrieved the applicant has approached this Tribunal seeking appropriate relief.

4. The Id. counsel for the applicant submitted that the applicant would be happy if a direction is given to the respondent authorities to consider and dispose of the representation of the applicant dated 21.12.2016(Annexure A/4) as per rules and regulations in force by passing a well reasoned order within a specific time frame.

5. Though no notice has been issued to the respondents, I am of the view that it would not be prejudicial to either of the parties, if a direction is issued to the respondent authorities to consider and dispose of the representation of the applicant as per rules in a time bound manner as prayed for.

6. Accordingly, the O. A. is disposed of with a direction to the competent respondent authority to consider and dispose of the representation of the applicant dated 21.12.2016(Annexure A/4) by passing a well reasoned order as per rules and regulations in force within a period of six weeks from the date of receipt of this order and communicate the decision to the applicant forthwith. After such consideration, if the grievance of the applicant is found genuine, then the respondent authorities shall incorporate the name of the wife of the applicant in the pension papers and grant the consequential benefits within a further period of six weeks from the date of taking decision in the matter.



7. It is made clear that I have not gone into the merits of this case and all the points raised in the representation are kept open for consideration by the respondent authorities as per rules and regulations governing the field.

8. With the above observations and directions, the O. A. is disposed of. No order as to cost.

(A. K. Patnaik)
Judicial Member

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