



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No. 350/436 of 2018

Sri Purusuttam,
son of Late Sahadev Ram, aged about
71 years, worked as Ex.Mate under
P.W.I/ Pandua, under Eastern Railway,
Howrah Division, Howrah, residing at
Boinchee Rly. Otr. Colony, P.O.
Boinchee, P.S. Pandua, Dist. Hooghly,
Pin. 712134.

.... Applicant

Versus

1. Union of India through the General
Manager, Eastern Railway, Fairlie Place,
17, N.S. Road, Kolkata. 700001.
2. Divisional Railway Manager,
Eastern Railway, Howrah Division,
Howrah. 711101.
3. Senior Divisional Personnel Officer,
Eastern Railway, Howrah Division,
Howrah, Pin. 711101.

... Respondents

WAC

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

No.O A /350/436/ 2018

Date of order: 24.07.2018

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

For the applicant : Mr. T.K. Biswas, counsel

For the respondents : Ms. C. Mukherjee, counsel

ORDER(Oral)

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:-

"8.(a) An order directing the respondents to refix the pensions in terms of 6th Central Pay Commission and thereafter release the arrear of pensions which was not calculated by the respondents till to-day;

(b) An order directing the respondents to consider the representation of the applicant dated 24.5.2017 (Annexure A-5) or leave may be granted to the applicant to file afresh representation agitating all points in the representation and same may be considered within the specific period;

(c) To pass any such order or orders as to this Hon'ble Tribunal may deem fit and proper."

2. Heard Mr. T.K. Biswas, Id. counsel for the applicant and Ms.C. Mukherjee, Id. counsel for the respondents.

3. Mr. T.K. Biswas, Id. counsel for the applicant submitted that though the applicant filed representation to the Respondent No.2 dated 24.05.2017(Annexure A/5) ventilating his grievances therein, he received no response to the same till date. Mr. Biswas further submitted that the applicant would be satisfied for the present if a direction is given to the Respondent No.2

all

i.e. the Divisional Railway Manager, Eastern Railway, Howrah Division, Howrah or the Respondent No.3 i.e. Senior Divisional Railway Manager, Eastern Railway, Howrah Division, Howrah to consider and dispose of the representation of the applicant dated 24.05.2017(Annexure A/5) as per rules within a specific time frame.

4. Though no notice has been issued to the respondents, I think it would not be prejudicial to either of the parties, if the above prayer of the Id. counsel for the applicant is allowed.

5. Accordingly the Respondent No.2 i.e. the Divisional Railway Manager, Eastern Railway, Howrah Division, Howrah or the Respondent No.3 i.e. Senior Divisional Railway Manager, Eastern Railway, Howrah Division, Howrah is directed to consider and dispose of the representation of the applicant dated 24.05.2017(Annexure A/5) by passing a well reasoned order as per rules and regulations governing the field within a period of six weeks from the date of receipt of this order and communicate the result to the applicant forthwith. After such consideration if the grievance of the applicant is found to be genuine, then the respondents shall take expeditious steps for granting the consequential benefits to him within a further period of three months from the date of taking decision in the matter.

6. 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.

7. With the aforesaid observations and directions, the O.A. is disposed of at the stage of admission itself.

8. As prayed by Id. counsel for the applicant, a copy of this order along with the paper book be transmitted to the Respondent No.2 and 3 by the Registry through speed post for which Id. counsel for the applicant shall deposit the cost within a week. A free copy of this order be handed over to Id. counsel for the respondents Ms. C. Mukherjee who is present and heard in the court.

(A. K. Patnaik)
Judicial Member

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