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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. NO.350/ 454 OF 2017

Mrs. Alpana Chakraborty, widow of Late
Sudhamay Chakraborty, retired Wireless
Maintainer-I, DSTE/CON/DHN, residing
at 16, Hazra Para Lane, P.O. Bally,
District - Howrah, PIN: 711201.

... Applicant.

-Versus-

1. Union of India, service through the
General Manager, East Central Railway,
Hajipur, PIN: 844 101.
2. The Divisional Railway Manager, East
Central Railway, Dhanbad, PIN: 826001.
3. The Senior Divisional Personnel
Officer, East Central Railway, Dhanbad,
PIN: 826 001.

Alpana Chakraborty

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4. The Senior Divisional Finance
Manager, East Central Railway,
Dhanbad, PIN: 826 001.

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

... Respondents.

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No. O.A. 350/454/2017

Date of order: 28.4.2017

Present : Hon'ble Mr. A.K. Patnaik, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

For the Applicant : Mr. M.S. Banerjee, Counsel
Mr. T.K. Biswas, Counsel

For the Respondents : None

O R D E R (Oral)

A.K. Patnaik, Judicial Member:

Heard Mr. M.S. Banerjee along with Mr. T.K. Biswas, Ld. Counsel appearing for the applicant.

2. This OA has been filed by Mrs. Alpana Chakraborty, widow of Late Sudhamay Chakraborty, who retired as Wireless Maintainer-I, DSTE/CON/DHN challenging letter dated 13.4.2016 issued by the Sr. DPO, East Central Railway, Dhanbad informing settlement payment of Late Sudhamay Chakraborty, Ex.WM-I/DSTE/CON/DHN which has been passed for payment, and letter dated 6.7.2016 issued by the Sr. DPO, East Central Railway, Dhanbad intimating her that she is not entitled for medical facilities and Complementary Pass as the qualifying service of Late Sudhamay Chakraborty is less than 20 years and act and omissions on the part of the respondents in not giving her the break-up of the amounts mentioned in letter dated 13.4.2016 as also non-supply of reconstructed service record of Late Sudhamay Chakraborty and letter dated 23.1.2017 issued by the Sr. DPO, East Central Railway, Dhanbad addressed to the advocate of the applicant. This O.A. has been filed praying for the following reliefs:

"A) For an order directing the respondents to give detail breakup of the amount mentioned in letter dated 13.04.2016, Annexure – "A-5" to this application.

B) For an order directing the respondents to pay Interest on delayed payment of settlement dues of Late Sudhamay Chakraborty including D.C.R.G., Provident Fund and arrear Pension.



C) For an order directing the respondents to give applicant Medical and Complementary Pass facilities treating qualifying service of Late Sudhamay Chakraborty as 24 years as mentioned in the Pension Payment Order.

D) For an order directing the respondents to supply Xerox copy of reconstructed service record of Late Sudhamay Chakraborty.

E) For an order quashing and/ or setting aside letters dated 06.07.2016 (Annexure - "A-7") and 23.01.2017 & 06.02.2017 (Annexure - "A-10" collectively)

F) For costs of and incidentals to this application."

3. The facts in a nut shell as per Mr. Biswas are that the applicant is the widow of Late Sudhamay Chakraborty, retired Wireless Maintainer-I, DSTE/CON/DHN is challenging non-payment of interest on delayed payment of settlement dues of Late S. Chakraborty to his widow in this O.A. No breakup of DCRG amount, PF amount, Life Time Arrear Bill has been supplied to her although from the PPO it appears that the qualifying service of the deceased employee was more than 20 years but she has not been granted Medical and Complementary Pass facilities.

4. Mr. Biswas, Ld. Counsel for the applicant submitted that the grievance of the applicant would be more or less addressed if a specific order is passed by directing the concerned authority i.e. respondent No. 3 to dispose of the representation dated 16.5.2016 within a specific time frame.

5. Though no notice has been issued still then we think it appropriate to dispose of this O.A. without waiting for reply by directing the respondent No. 3, that if any such representation have been preferred on 16.5.2016 and the same is still pending consideration, then it may be considered and disposed of by way of a well-reasoned order within a period of one months from the date of receipt of a copy of this order under communication to the applicant and if after such consideration, the applicant's grievance is found to be genuine then expeditious steps may be taken within a further period of



three months from the date of such consideration to extend such benefits to the applicant.

6. We make it clear that we have not gone into the merits of the matter and all points are kept open for the respondents to consider the same as per the rules and regulations in force.

7. A copy of this order along with paper book be transmitted to the respondent No. 3 by speed post for which Mr. Biswas undertakes to deposit necessary cost in the Registry within a week.

8. With the aforesaid observation and direction, the O.A. is disposed of.


(Jaya Das Gupta)
Administrative Member


(A.K. Patnalk)
Judicial Member

SP