

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. O.A. 350/485/2018

Date of Order: 24.04.2018

Present: Hon'ble Ms. Manjula Das, Judicial Member

Abishek Anand

Vs.

C.L.W.

For the Applicant : Mr. B. Chatterjee, Counsel

For the Respondents : None

ORDER (Oral)

Per Ms. Manjula Das, Judicial Member:

Heard Mr. B. Chatterjee, learned counsel for applicant at length.

2. The applicant had approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985, seeking the following reliefs:

“8(a) An order directing the respondent authorities to disburse the Death cum Retirement Benefits and Monthly Family Pension in favour of the applicant in accordance with the Rule 75(7)(ii) Railway Services (Pension) Rules, 1993;

(b) An order directing the respondents to produce/cause production of relevant documents as deemed necessary for the purpose of proper adjudication of the case;

(c) Costs;

(d) Any other or further order or orders or direction as your Lordships may deem fit and proper.”

3. The brief facts of the case as narrated by the Id. counsel for the applicant is that the father of the applicant was an employee of the respondent authority, who died in harness on 12th January, 2016 leaving behind the applicant, applicant's younger sister and the private respondent i.e. the second wife of the deceased employee. Thereafter, at the time of disbursement of death cum

retirement benefits and family pension of the deceased father of the applicant, the applicant and his younger sister were minor and the respondent authority was issued such benefits in favour of the private respondent i.e. the second wife of the deceased employee. After attaining majority, the applicant made several representations before the respondent authorities for consideration of his grievances as a legal heir of deceased employee but the authorities till date failed to consider the representations of the applicant. Hence, this present OA before this Tribunal.

4. At the outset while moving the matter, Id. counsel appearing on behalf of the applicant submitted that he will be satisfied if a direction is given to the respondent authority to dispose of the latest pending representation of the applicant dated 31.01.2018 within a time bound manner.

5. By accepting the prayer of the Id. Counsel for applicant and without going into the merits of this case, I hereby dispose of the OA by directing the respondents authority to consider and dispose of the representation dated 31.01.2018 of the applicant and take a decision in accordance with Rules, within a period of 3 months from the date of receipt of this order.

6. It is made clear that the decision so arrived at, shall be reasoned and speaking and shall be communicated to the applicant forthwith.

7. The OA is therefore disposed of. No order as to costs.

(Manjula Das)
Member (J)

pd

