

LIBRARY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No. 350/507 of 2017

Smt. Mohinibala Mahata,
wife of Late Rampada Mahata (Ex. Gangman
under the PWI/Hijli, South Eastern
Railway, Kharagpur, aged about 62 years
Housewife, residing at Village. Hururia,
P.O. Sakpara, Police Station, Kharagpur
(Local), Dist. Paschim Medinipur,
Pin. 721301.

... Applicant

Versus.

1. Union of India, through the General
Manager, South Eastern Railway,
Garden Reach, Kolkata, 700043.
2. The Divisional Engineer, South
Eastern Railway, Kharagpur Division,
P.O. & P.S. Kharagpur, Dist. Paschim
Medinipur, Pin. 721301.
3. The Senior Divisional Personnel
Officer (Sett), South Eastern Railway,
Kharagpur, P.O. & P.S. Kharagpur,
Dist. Paschim Medinipur, Pin. 721301.

contd.. 2

Al

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

No.O.A.350/507/2017

Date of order : 08.05.2018

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

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

For the respondents : Ms. G. Roy, counsel

ORDER (ORAL)

A.K. Patnaik, Judicial Member

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

"8.(a) directing the respondent authority to consider the representation dated 13.5.2016 submitted by the applicant before the respondent authority for grant of pension of the deceased husband of the applicant as well as family pension of the applicant from the date of death of the husband of the applicant that is from 13.05.2016 within a stipulated period of time;

(b) Call for the records of the instant case so that conscionable justice may there in be administered;

(c) Pass such other order or orders as Your Lordships may deem fit and proper."

2. Heard Mr. T.K. Biswas, Id. counsel for the applicant. Ms. G. Roy, Id. counsel for the respondents is also present and heard.

3. Mr. T.K. Biswas, Id. counsel for the applicant submitted that the applicant made a representation to the Respondent No.3 i.e. the Senior Divisional Personnel Officer, South Eastern Railway, Kharagpur Division, Kharagpur dated 13.05.2016 (Annexure A/5) praying for grant of family pension, but no reply has been received by her till date. Mr. Biswas further submitted that the applicant's

JK

grievance would be more or less redressed for the present, if a direction is given to the Respondent No.3 to consider and dispose of the representation of the applicant as per rules within a specific time frame.

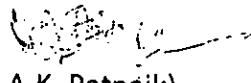
Considering the facts and circumstances of the case, I think it would not be prejudicial to either of the parties if such direction is given to the Respondent authorities.

5. Accordingly the Respondent No.3 i.e. the Senior Divisional Personnel Officer, South Eastern Railway, Kharagpur Division, Kharagpur or any other competent authority is directed to consider and dispose of the representation of the applicant dated 13.05.2016(Annexure A/5) as per rules and regulations in force by passing a well reasoned order within a period of six weeks from the date of receipt of a copy of this order and communicate the decision to the applicant forthwith. After such consideration, if the applicant is found entitled to the benefits as claimed in the representation, the respondent authorities shall grant such benefits within a further period of six weeks from the date of taking decision in the matter.

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

7. With the above observations the O.A. is disposed of. No order as to cost.

8. A copy of this order be handed over to the Id. counsel for both sides.


(A.K. Patnaik)
Judicial Member