

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH
ALLAHABAD**

The **11th** day of **January, 2019**.

HON'BLE MS. AJANTA DAYALAN, MEMBER (A).

Original Application Number. 330/00019/2019

Smt. Suman Devi wife of Late Rajendra Prasad, (Substitute Retired on 31.01.2018 and died on 02.09.2018 from Class IVth employee), North Eastern Railway, Lakhimpur, R/o Village – 342, Malook Singh Purwa, Jhalatarhar, Post Lalpur, Jhalatarhar, Payagpur, Bahraich, District - Bahraich .

.....Applicant.

VER S U S

1. Union of India through General Manager, North Eastern Railway, Gorakhpur.
2. Divisional Railway Manager, North Eastern Railway, U.P. Lucknow.
3. Senior Divisional Commercial Manager / Superintendent, North Eastern Railway, Lucknow.

.....Respondents

Advocate for the applicant : Shri Damodar Pandey
Advocate for the Respondents : Shri P.K. Rai

ORDER

Heard Shri Damodar Pandey, learned counsel for the applicant and Shri P.K. Rai, learned counsel for respondents.

2. Learned counsel for the applicant pleads that the applicant's husband, who expired on 02.09.2018, had been engaged in the respondents department for more than 42 years from 1976 (1984 as per the department) till 31.01.2018 (the date on which he attained 60 years age) but he was not regularized till his death. The applicant is now seeking regularization of service of her late husband as well as family pension.

3. Learned counsel for the applicant states that the applicant will be satisfied if a direction is given to the competent authority amongst the

respondents i.e. Divisional Railway Manager, North Eastern Railway, U.P. Lucknow (respondent no.2) to consider the case of the applicant and pass a speaking order.

4. Learned counsel for the respondents has no objection to this limited prayer.

5. In view of the limited prayer of the learned counsel for the applicant, the applicant is directed to make a self contained representation to the competent authority amongst the respondents i.e. Divisional Railway Manager, North Eastern Railway, U.P. Lucknow (respondent no. 2) within four weeks. The Divisional Railway Manager, North Eastern Railway, U.P. Lucknow (respondent no. 2) will take a view on the representation, if so made by the applicant, by passing a reasoned and speaking order within a period of two months thereafter. The order so passed shall be communicated to the applicant.

6. The OA is disposed of as above. No costs.

7. Needless to say that the order should not be construed as any expression or opinion on merits or otherwise of the case.

MEMBER- A.

Anand...