

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.

Dated : This the 5th day of April, 2019

Original Application No. 330/00512 of 2018

Hon'ble Ms. Ajanta Dayalan, Member – A

Smt. Prem Devi, Aged about 60 years, W/o Late Shri Krishna Kamal Sharma Group 'C' R/o Kamal Nagar, Behind Raj Petrol Pump, District Buxar, Bihar.

Presently at:

759/645 Old Katra Allahabad 211002.

. . .Applicant

By Adv : Shri S.N. Bhattacharya

V E R S U S

1. Union of India, through Secretary, Railway Board, New Delhi.
2. General Manager, East-Central Railway, Hajipur, Bihar.
3. Chief Personnel Officer, East Central Railway, Hajipur.
4. Divisional Railway Manager, East Central Railway, Mughal Sarai.
5. Sr. Divisional Personnel Officer, East Central Railway, Mughal Sarai.

. . .Respondents

By Adv: Shri N.C. Srivastava.

O R D E R

Delivered by Hon'ble Ms. Ajanta Dayalan, Member - A

Heard Shri S.N. Bhattacharya, learned counsel for the applicant and Shri N.C. Srivastava, learned counsel for the respondents.

2. Learned counsel for the applicant states that the applicant is the widow and is claiming benefits of higher pay which was due to her husband while he was in service and all consequential benefits according to the verdict of Hon'ble Delhi High Court in WP(C) No.566 of 2000 dated 07.02.2008 and the Cont. Case No.311/2009 dated 17.04.2017. In this connection, the applicant made a detailed representation to the

department on 05.02.2018 (Annexure A-1) which is still pending. He also states that subsequent to filing of counter reply by the respondent department on 08.03.2019, judgment of the co-ordinate bench of this Tribunal passed in OA No.859 of 2018 will also be relevant in the present case.

3. Applicant's counsel further states that the applicant will be satisfied if a direction is issued to the respondents to decide his representation dated 05.02.2018 (Annexure A-1) in a time bound manner.

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

5. In view of the limited prayer made by the learned counsel for the applicant, we direct the competent authority amongst the respondents to decide the representation of the applicant dated 05.02.2018 (Annexure A-1) keeping in view the relevant rules and instructions as well as the latest judgment passed in OA No.859 of 2018, by passing a reasoned and speaking order within a period of three months from the date of receipt of certified copy of this order and communicate the decision to the applicant.

6. It is made clear that the above order shall not be construed as any expression or opinion on the merits of the case or regarding limitation.

7. The OA is disposed of accordingly. No costs.

(Ms. Aajanta Dayalan)
Member (A)

/Neelam/