

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1

12/12/2018

O.A./260/573/2018

B ORAM

-V/S-

M/O RAILWAYS

ITEM NO:10

FOR APPLICANTS(S) Adv. : Mr. B.S. Tripathy

FOR RESPONDENTS(S) Adv.: Mr. T. Rath

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsel for both sides.</p> <p>Ld. Counsel for the applicant submitted that the applicant is the legal heir and second wife of the deceased Railway employee (Etna Oram who died on 17.05.1998 while in service). His first wife was expired on 01.07.1991 after that he married the present applicant. Ld. Counsel further submits that due to ignorance the applicant she could not pursue before the authorities for releasing the death benefits/ settlement dues of the deceased employee in her favour for which she has submitted representation 23.05.2016 (Annexure-A/3). Ld. Counsel also brought to our notice the legal heir certificate dated 08.07.2003 (Annexure-A/2 which has been issued by the Tahasildar, Rourkela and the death certificate dated 06.06.1998 (Annexure-A/1) issued by the Govt. of Orissa, Department of health & family welfare.</p> <p>Ld. Counsel for the Respondents submitted that the matter is delayed and it is not known whether the applicant's husband was in service at the time of death or not.</p> <p>In view of the above submissions, the O.A. is disposed of at this stage with a direction to Respondent No.3/competent authority to consider the representation dated 23.05.2016 (Annexure-A/3) as per the extant rules and dispose of the same by passing a speaking and reasoned order copy of which shall be communicated to the applicant within three months from the date of receipt of certified copy of this order.</p>

Applicant is at liberty to enclose copy of the representation along with all the documents in favour of her claim and copy of this order to the Respondent No.3/competent authority within 15 days from today for consideration and if such representation is made Respondent No.3/competent authority shall pass a speaking and reasoned order within three months in accordance with law.

It is made clear that we have not expressed any opinion on the merit of this case while passing this order.

The O.A. is disposed of at the admission stage. No costs.

Copy of this order along with paper books be sent to Respondent No.3 within one week by speed post at the cost of the applicant for which Ld. Counsel for the applicant has agreed to deposit the postal requisites by 14.12.2018.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

kb