

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**LIBRARY**

No. O.A. 350/00290/2019

Date of order: 23.4.2019

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
 Hon'ble Dr. Nandita Chatterjee, Administrative Member

Renuka Sharma,
 Daughter of Om Prakash Jangra,
 Residing at Vivekananda Pally,
 Malancha,
 P.O. - Nimpura,
 District - Paschim Medinipore,
 Pin Code - 721 304.

...Applicant

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1. Union of India,
 Service through the General Manager,
 South Eastern Railway,
 Garden Reach,
 Kolkata - 700 043.
2. The Sr. Divisional Personnel Officer,
 South Eastern Railway,
 Kharagpur Division,
 Kharagpur,
 Paschim Medinipore,
 Pin Code - 721 301.

...Respondents

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. R.K. Sharma, Counsel

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O R D E R (Oral)Per Dr. Nandita Chatterjee, Administrative Member:

The instant Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

"An order do issue directing the respondents to take necessary steps for recording the name of the younger daughter of the applicant in the service book of her father namely Sunil Kumar @ Sunil Kumar Sharma and thereby to grant and/or sanction the pension and pensionary and death benefits of the said Railway employee in favour of the younger daughter at an earliest along with the admissible interest accrued thereon."

2. Heard Ld. Counsel for both sides, examined documents on record. The matter is taken up at the admission stage.

3. The applicant's submissions, as made through his Ld. Counsel, is that the applicant was married to an ex-employee of the respondents, a Group - D employee under Sr. Section Engineer / P. Way at Shyamchak, who expired on 24.12.2014 while in service. The applicant and the ex-employee were divorced by a decree in 2009 but had two daughters from their wedlock. The name of the younger daughter, however, could not be recorded in the service book of the ex-employee and although, the applicant had met the respondent authorities with the request to record the name of the younger daughter in the service book and had also preferred representations to that effect, the authorities have failed to respond.

4. Ld. Counsel for the applicant submits that the applicant would be fairly satisfied if a direction is issued to the concerned respondent authority to dispose of the representation dated 18.2.2019 (at Annexure 3 to the O.A.) requesting for recording the name of the younger daughter in the service book of her late father, the ex-employee.

5. Ld. Counsel for the respondents does not object if such representation is directed to be considered in accordance with law.

6. Accordingly, without entering into the merits of the matter and, with the consent of the parties, we hereby direct the respondent No. 2, who is the Sr.

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Divisional Personnel Officer, South Eastern Railway, to dispose of the representation dated 18.2.2019 (Annexure A-3 to the O.A.), if received at his end, within a period of 8 weeks from the date of receipt of a copy of this order. Respondent No. 2 will decide in accordance with law and will convey his decision in the form of a reasoned and speaking order to the applicant forthwith thereafter.

7. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

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