

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

No. O.A. 350/01750/2018

Date of order: 14.2.2019

Present : Hon'ble Dr. Nandita Chatterjee, Administrative Member

Smt. Lipika Roy,
 Daughter of Late Bidhuranjan Roy,
 Village – Majhergram,
 Post Office – Gangnapur- Majhergram,
 Police Station – Gangnapur,
 District – Nadia,
 Pin – 741 238.

Applicant

- V E R S U S -

1. Union of India,
 Service through the General Manager,
 South Eastern Railway,
 Garden Reach,
 Kolkata – 700 043.
2. The Divisional Railway Manager,
 South Eastern Railway,
 Kharagpur Division,
 Kharagpur,
 District – Paschim Medinipur,
 Pin – 721 101.
3. The F.A. & C.A.O. (Pension),
 South Eastern Railway,
 Garden Reach,
 Kolkata,
 Pin - 700 014.

Respondents

For the Applicant : Mr. S.K. Bhattacharya, Counsel

For the Respondents : Ms. G. Roy, Counsel

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 seeking the following relief:-

- "(i) To pass an order directing the Respondents, their men and agents to take an early step so that the applicant could get family pension without any further delay.
- (ii) To pass an order directing the Respondents, their men and agents to make payment of arrear family pension because the mother of the applicant was enjoying family pension till her death on 25.02.2015.
- (iii) To pass an appropriate order for granting family pension in favour of the applicant bearing in mind that her mother was getting family pension and her father was getting pension after retirement.
- (iv) Any other order or orders as Your Lordship may deem fit and proper."

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

3. Ld. Counsel for the applicant submits that the applicant's father, a pensioner since 1992, had passed away in 2008. After demise of the father, the mother of the applicant started receiving family pension and after expiry of the applicant's mother, the applicant, being an unmarried daughter had applied for family pension, which, however, had not been granted to her and, hence, the O.A.

Ld. Counsel for the applicant further submits that a representation dated 18.5.2018 (Annexure A-5 to the O.A.) is pending with the respondent authorities in this regard and that the applicant would be fairly satisfied if the respondents are directed to dispose of the said representation in a time bound manner.

4. Ld. Counsel for the respondents does not object if a direction is issued to the authorities to consider such representation in accordance with law.

5. Accordingly, with the consent of the parties and, without entering into the merits of the matter, I direct the respondent No. 2, namely, the Divisional Railway Manager, South Eastern Railway, Kharagpur Division, Kharagpur, to whom the said representation has been addressed, to examine the contents of the representation, if received at his end, and to dispose of the same in the form of a

h.s.

reasoned and speaking order, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Decision arrived at should be communicated forthwith to the applicant.

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

(Dr. Nandita Chatterjee)
Administrative Member

SP