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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL CALCUTTA

BENCH, CALCUTTA

AN APPLICATION UNDER SECTION 19 OF THE

ADMINISTRATIVE TRIBUNAL ACT, 1985.

O.A. NO. 350/0091 OF 2019

IN THE MATTER OF:

Manju Lama, wife of Late Buddha
Lama, aged about 63 years,
residing at Microwave Station, Dr.
Zakir Hossain Road, Youth Hostel,
Darjeeling (M), Darjeeling-734101.

....APPLICANT.

-VERSUS-

1. Union of India, service through
the Secretary, Ministry of
Communication, Department of
Telecommunications, Sanchar
Bhavan, New Delhi-110001.

2. Bharat Sanchar Nigam Limited,
through the Chairman and
Managing Director, 20, Ashoka
Road, New Delhi-110001.

WL

3. The Chief General Manager,
BSNL, Eastern Telecom Region,
Telehpone Kendra (8th Floor), P-10,
New C.I.T. Road, Kolkata-700073.

4. Senior Accounts Officer
(Pension), Department of
Telecommunications, office of the
Controller of Communication
Accounts, West Bengal Circle,
Kolkata-700069.

5. Deputy Controller of
Communication Accounts
(Pension), Department of
Telecommunications, office of the
Controller of Communication
Accounts, West Bengal Circle, 2nd
& 3rd Floor, 8, Esplanade East,
Kolkata-700069.

6. Asstt. Controller of
Communication Accounts
(Pension), Department of
Telecommunications, office of the

W.L

Controller of Communication
Accounts, West Bengal Circle, 2nd
& 3rd Floor, 8, Esplanade East,
Kolkata-700069.

7. The Accounts Officer, office of
the Dy. General Manager
(Maintenance), ETR, BSNL,
Microwave Complex, Telephone
Exchange, Siliguri-734001.

8. Sub-Divisional Engineer,
Bharat Sanchar Nigam Limited,
Microwave Maintenance, Microwave
Station, Jalapahar, Darjeeling,
District- Darjeeling, Pin-734101.

9. The Accounts Office, office of the
DGM, ETR, Microwave Complex,
Telephone Exchange, Siliguri-
734001.

....RESPONDENTS



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/91/2019

Date of Order: 25.01.2019

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

Manju Lama -vs- BSNL

For the Applicant(s): Mr. K. Chakraborty, Counsel
Mr. A. Halder, Counsel

For the Respondent(s): Ms. C. Mukherjee, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Mr. K. Chakraborty, Ed. Counsel, leading Mr. A. Halder, Ld. Counsel for the applicant, and Ms. C. Mukherjee, Ed. Counsel appearing for Official Respondents, in extenso.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

“ i) An order do issue directing the concerned respondents to allow the family pensionary benefits in favour of the petitioner and his unmarried daughter forthwith.
ii) An order do issue directing the respondents to produce all records relating to this case before the Hon'ble Tribunal so that after perusing the same conscientious justice be administered.
iii) Cost and incidental charges.
iv) And/or such pass further order or orders direction or directions as Your Lordships may deem fit and proper.”

3. Brief facts of the case as narrated by Ld. Counsel is that the applicant is the second wife of Late Buddha Lama, deceased employee of the BSNL, and their

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marriage was solemnized on 27.04.1992 in the Office of Marriage Registrar, Darjeeling. It is further submitted that the first wife of the deceased employee, viz. Nilu Tamang, married to another person and was living separately. The grievance of the applicant is that after the death of her husband on 24.10.2014, she represented before the authorities on 31.10.2017 along with succession certificate but till date no action has been taken by the Respondents to grant her the pensionary benefits. Ld. Counsel for the applicant submitted that ventilating her grievance the applicant has preferred a representation on 03.12.2018 (Annexure-A/8) before Respondent No. 3 seeking pensionary benefits but no action has been taken by the Respondents till date. He further submitted that grievance of the applicant may be redressed if Respondent No. 3 is directed to consider the said representation within a specific time frame.

4. Having heard Ld. Counsel for the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 3 to consider the representation dt. 03.12.2018 (Annexure-A/8), if the same has been filed and is pending for consideration, and pass a reasoned and speaking order as per rules and regulations within a period of six weeks from the date of receipt of copy of this order. I make it clear that if after such consideration the grievance of applicant is found to be genuine and she is otherwise entitled then expeditious steps be taken to release the family pension within a further period of six weeks from the date of such consideration. I make it clear that if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.



6. As prayed for by the Ld. Counsel for the applicants, copy of this order, along with paperbook be transmitted to Respondent Nos. 3, 5 and 6, for which, he undertakes to deposit the cost with the Registry within a week.
7. Copies of this order be handed over to the Ld. Counsel for the parties.

(A.K.Patnaik)
Member(J)

RK/PS

