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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

Calcutta Bench

O.A. No. 350/00113 of 2019

Juli Saha,

wife of Late Pinty Kumar Saha,
(Ex. Tech. III, C/Fitter, T. No. P 207,
Liluah, Eastern Railway, Howrah,
Pin. 711101, aged about 40 years,
Housewife, residing at 15/7, Devi Mandir
Lane, (Charubala Apartment), Liluah,
District. Howrah, Pin. 711204.

.... Applicant

Versus

1. Union of India, through the General Manager, Eastern Railway, Fairlie Place, 17, N.S. Road, Kolkata 700001.
2. Divisional Railway Manager, Eastern Railway, Howrah Division, Howrah, Pin. 711101.
3. Senior Divisional Personnel Officer, Eastern Railway, Howrah Division, Howrah, Pin. 711101.

.... Respondents

Abd

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

O.A/350/113/2019

Date of Order: 31.01.2019

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

Juli Saha -vs- Eastern Railway

For the Applicant(s): Mr. T. K Biswas, Counsel

For the Respondent(s): Mr. A. K Banerjee, Counsel

ORDER (ORAL)

A.K. Patnaik, Member (J):

Heard Mr. T.K.Biswas, Ld. Counsel for the applicant. Mr. Biswas submitted that he has already sent copy of the O.A. along with annexures, to Respondents.

2. As no-one appears on behalf of the Respondents and Mr. A.K.Banerjee, Ld Counsel, who usually appears for the Eastern Railways, is present in the Court, on my request, Mr. Biswas has served copy of the O.A. along with annexures, on him as I do not want the Official Respondents to go unrepresented. Heard Mr. A.K.Banerjee, in extenso.

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

“a) An order directing the respondents to release the compassionate allowance in favour of the applicant in terms of the Railway Circular being RBE-164/2008 basis along with all arrear with interest;

b) An order directing the respondents to consider the representation dated 20.6.2018 (Annexure A-B) within specific period of time;

c) To pass such other or further order or orders as to this Hon'ble Tribunal may deem fit and proper.”

4. The case, in short, as narrated by Mr. T. K Biswas, Ld. Counsel for the applicant is that the applicant is the wife of Late Pintu Kumar Saha, Ex.Tech – III,

NAL

C/Fitter, Liluah, Eastern Railway, Howrah, who was removed from service w.e.f 17.05.2004 on account of unauthorized absence by the Railway authorities and subsequently he died. Ld. Counsel for the applicant submits that the applicant has filed this O.A seeking compassionate allowance including provident fund and arrear benefits with interest as per Railway Circular No. RBE-164/2008. Ld. Counsel for the applicant submitted that ventilating her grievance the applicant has preferred a representation dated 20.06.2018 (Annexure-A/8), which has not yet been considered. He further submitted that grievance of the applicant may be redressed if Respondent No.2 is directed to consider the said representation within a specific time frame keeping in mind the judgment passed by the Hon'ble Apex Court under Annexure-A/9.

5. 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. 2 to consider the representation of the applicant as at Annexure-A/8, if the same has been filed and is pending for consideration, keeping in mind the judgment passed by the Hon'ble Apex Court under Annexure-A/9 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 the applicant is found to be genuine then expeditious steps be taken within a further period of six weeks to give her the compassionate allowance. I also 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 two weeks.

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



7. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent Nos. 2 and 3, for which, he undertakes to deposit the cost with the Registry within a week.

8. Copies of this order be handed over to the Ld. Counsel for the parties.

(A.K.Patnaik)
Member(J)

RK/PS

