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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH, NIZAM PALACE

234/4, A. J. C. BOSE ROAD,

KOLKATA - 700020

O.A. No. 356/1438 of 2018

In the matter of :

Smt. Subhadra Santra, wife of

Late Ram @ Ram Chandra

Santra, Housewife, aged about 64

years, residing at Village -

Jagatnagar, P.O. SE/PW/Gurap,

P.S. Singur, Dist. Hooghly, W.B.,

Pin - 712409.

.... Applicant

Versus

1. The Union of India Service

through the General Manager,

Eastern Railway, 17, Netaji

Subhas Road, Kolkata - 700001.

Subhadra Santra
By her Ady. Ady. 2022

2. The Divisional Railway
Manager, Howrah Division,
Howrah - 711101;

.... Respondents

W.H.

- 3 -

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1438/2018
M.A/350/703/2018

Date of Order: 24.01.2019

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

Subhadra Santra –vs- Eastern Railway

For the Applicant(s): Mr. N. Roy, Counsel

For the Respondent(s): Ms. S. D Chandra, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Mr. N.Roy, Ld. Counsel for the applicant, and Ms. S.D.Chandra, Ld.

Counsel appearing for the Official Respondents, in extenso.

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

“ a) An order directing the respondent to consider the case of the applicant for ex-gratia lump sum compensation forthwith along with interest as admissible under the rules without any delay tactics.

b) An order directing the respondents to deal with and disposed of the representations made by the applicant herein in terms of Railway Board's Circulars.

c) An order directing the respondents to give benefit of judgment in O.A No. 217/2013 dated 11.04.2013 passed by the Hon'ble Tribunal Calcutta Bench.

d) To direct the respondent authorities to produce all records of the case at the time of adjudication for conscientious justice.

e) And to pass such further other order or orders as your Lordships may deem fit and proper.”

3. The brief facts of the case as submitted by Mr. N. Roy, Ld. Counsel for the applicant, is that the applicant is the only legally married wife of Late Ram @ Ram Chandra Santra, who died on 29.11.2007 while working as Trackman. A case was registered at Gurap GRPS on 29.11.2007. The applicant filed a case before the Learned Commissioner for workmen's compensation and was allowed by the

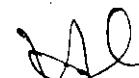
(Signature)

Learned Commissioner. The applicant also prays for payment of ex-gratia lump sum compensation benefit in terms of the Railway Board Circular but the same has not been paid by the railway authorities. Ventilating her grievance the applicant had preferred representation under Annexure-A/3 and having received no response she made another representation under Annexure-A/4 dated 10.10.2016 before Respondent No.1. Ld. Counsel for the applicant submits that the grievance of the applicant may be more or less redressed if a direction is issued to Respondent Nos.1 and 2 to consider and take a decision on the representation made under Annexure-A/4 within a specific time frame.

4. Ms. S.D.Chandra, Ld. Counsel for the Respondents, on the previous date of listing, i.e. on 07.01.2019, had submitted that the applicant has been granted the benefits as claimed by her in the instant O.A.

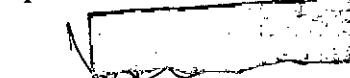
5. In view of the submission made by Ld. Counsel for the applicant, without going into the merit of the matter, I dispose of this O.A. by directing Respondent Nos. 1 and 2 to consider the representation, stated to have been made as annexed under Annexure-A/4, and communicate the result thereof to the applicant by a well reasoned order within a period of eight weeks from the date of receipt of copy of this order. I make it clear that if after such consideration the applicant's grievance is found to be genuine then expeditious steps be taken to disburse the amount, which he is otherwise entitled to, within a further period of six weeks. 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 a period of two weeks.

6. With the aforesaid observation and direction, this O.A. stands disposed of. Consequently, M.A. No. 703/2018 is also 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. 1 and 2, for which, he undertakes to deposit the cost with the Registry within a week.

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



(A.K.Patnaik)
Member(J)

RK/PS

