

ORAL

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH, ALLAHABAD

(This the **17th Day** of **July**, 2019)

Hon'ble Mr. Justice Bharat Bhushan, Member (Judicial)

Original Application No.330/732/2019
(U/S 19, Administrative Tribunal Act, 1985)

Smt. Kanta Kulendra wife late B.L. Kulendra, Age 65, Resident of House
No.46/1068, Gali No.13, Kishorpura, Lohamandi, Bodla Road, Agra 282002.

..... **Applicant**

By Advocate: Shri Raj Narayan

Versus

1. General Manager, North Central Railway, Allahabad Now Prayagraj.
2. Division Railway Manager, N.C. Rly, Jhansi (UP).
3. Senior Divisional Finance Manager, N.C. Rly, Jhansi.

..... **Respondents**

By Advocate: Shri Vinod Mishra proxy counsel to Shri Shesh Mani Mishra

ORDER

Shri Raj Narayan, Advocate, is present for the applicant.

Shri Vinod Mishra proxy counsel to Shri Shesh Mani Mishra,
Advocate is present for respondents.

2. This Original Application (OA) has been filed by the
applicant for the following relief(s):-

- "(i) *The Hon'ble Tribunal may graciously be pleased to direct the respondent No.2 and 3 to provide benefit of 7th pay commission to the applicant and pay pension accordingly.*

- (ii) *To issue direction to the respondent No.3 to decide representation of the applicant dated 23.09.2018 by a reasoned and speaking order within stipulated period.*
- (iii) *Any other relief which Hon'ble Tribunal may deem fit and proper in the interest of justice.*
- (iv) *Award cost in favour of the applicant."*

3. Original Application states husband of applicant late B.L. Kulendra was working on the post of Assistant Station Master in N.C.R. Jhansi (UP). He retired from service on 30.11.1995 from Railway Station Muraina. Late B.L. Kulendra expired on 28.08.2018 and since then the applicant has getting family pension being legally wedded wife of deceased employee.

4. The grievance of applicant is that applicant has not been given the benefit of 7th pay commission in spite of several representations given by the applicant to the respondents. Learned counsel for the applicant submits that last representation was made by the applicant on 23.09.2018 which is available on record as Annexure A-2.

5. Learned counsel for the applicant has, further, stated that applicant will be satisfied if respondents are directed to decide his pending representation dated 23.09.2018 (Annexure A-2) by a reasoned and speaking order within specified time frame.

6. In view of the aforesaid limited prayer made by counsel for the applicant but **without commenting anything on merits of the case**, the instant Original Application is disposed off with the direction to the respondent No.2 or Competent Authority to decide the representation of the applicant dated 23.09.2018 (Annexure A-2) by a reasoned and speaking order within a period of four months from the date of receipt of certified copy of this order and communicate the decision so taken by the respondents to the applicant in writing. No costs.

(Justice Bharat Bhushan)
Member (Judicial)

Sushil