

**CENTRAL ADMINISTRATIVE TRIBUNALCUTTACK BENCH, CUTTACK,  
ORDER SHEET**

COURT NO. : 126/08/2019O.A./260/554/2019

M.A./260/625/2019MUSI BEHERA

-V/S-

M/O RAILWAYSITEM NO:26FOR APPLICANTS(S) Adv. :Mr. N.R.Routray

FOR RESPONDENTS(S) Adv.:Mr. T. Rath

| Notes of The Registry | Order of The Tribunal  |
|-----------------------|--|
|                       | <p>Heard Ld. Counsels for the applicant and respondents.</p> <p>Ld. Counsel for the applicant submitted that the applicant's husband was an employee of the Railways. He was granted financial upgradation by the Department and thereafter, it was withdrawn, for which the applicant had filed the earlier OA before the Tribunal, which was allowed vide order dated 21.07.2016 (Annexure-A/2) in the OA No.302/2013. Ld. Counsel for the applicant further submitted that she has made a representation dated 11.09.2018 at Annexure-A/5 before the respondents and till date no decision has been taken by the respondents. He further submits that the grievance of the applicant would be redressed if a direction is given to the respondents to dispose of the pending representation in a time bound manner.</p> <p>Ld. Counsel for the respondents submitted that he does not have any instruction from the department that the representation of the applicant has been received by the department or not.</p> <p>The MA No.625/19 for condoning delay in filing the O.A is filed. Since the present dispute related to fixing of the pension of the applicant as per order dated 21.07.2016, which is stated to have been partly complied, OA as well as MA are disposed of at this stage in the light of para-9 of the judgment dated 21.07.2016 with a direction to the respondent No.2/competent authority to consider the representation dated 11.09.2018(Annexure-A/5) filed by the applicant and dispose of the same as per the provisions of law and communicate the decision by a speaking order to the applicant within a period of two months from the date of a receipt of a copy of this order. It is made clear that we have not expressed any opinion on the merit of the case.</p> |

Applicant will have the liberty to send a certified copy of this order along with the Paper Book of the OA and copy of the representation dated 11.09.2018 to the respondent no.2 within 10 days time after of receipt of copy of this order. Copy of this order be given to Ld. Counsels for both the sides.

( SWARUP KUMAR MISHRA)  
MEMBER (J)

( GOKUL CHANDRA PATI)  
MEMBER (A)

pms