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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL CALCUTTA

BENCH, CALCUTTA

O.A.No.350/oo2 of 2019

In the matter of:

Anjali Nath,

Widow of Late Pravakar Nath,

A/2/137, Kalyani, P.O. Kalyani,

District - Nadia, Pin - 741235.

....Applicant

- Versus -

1. Union of India service
through the General Manager,
Eastern Railway, Fairly Place,
Kolkata - 700 001.

2. The Chief Personnel Officer,
Eastern Railway, Fairly Place,
Kolkata - 700 001.

3. The Divisional Railway
Manager, Sealdah Division,
D.R.M. Building, Sealdah,
Kolkata - 700 009.

Wd

4. Senior Divisional Personnel

Officer, Eastern Railway,
Sealdah Division, DRM Building,
Sealdah, Kolkata - 700 009.

5. The Senior Divisional

Commercial Manager, Eastern
Railway, Sealdah Division, DRM
Building, Sealdah, Kolkata -
700 009.

....Respondents

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/002/2019

Date of Order: 26.06.2019

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

ANJALI NATH -VS- EASTERN RAILWAY

For the Applicant(s): Mr. S.N. Sukul, counsel

For the Respondent(s): Mr. K. Sarkar, counsel

ORDER (ORAL)

A.K. Patnaik, Member (J):

Heard Mr. S.N. Sukul, Ld. Counsel for the applicant.

2. As no-one appears on behalf of the Respondents and Mr. K. Sarkar, Ld. Standing Counsel for the Eastern Railway is present in the Court, on my request, Mr. Sukul has served copy of the O.A., along with annexures, on him. Heard Mr. K. Sarkar, in extenso.

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

“a) To direct the respondent authorities to pass an order/orders granting family pension benefits in favour of the applicant from the date of death of her husband Late Pravakar Nath on 11.04.2017 and releasing pension with arrears in terms of Pension Rules 1993 and amendment thereafter.

b) To direct the Respondent Authorities to produce the entire records of the case before this Hon'ble Tribunal for proper adjudication of the points of issue.

c) And to pass such further order or orders, direction or directions as to this Hon'ble Tribunal may deem fit and proper.”

WLL

4. The case of the applicant, in brief, as enumerated by Ld. Counsel is that the applicant is the widow of Late Pravakar Nath, who had retired from the post of CIT/Sealdah Division on 31.01.1998, and subsequently died on 11.04.2017. Ld. Counsel also submits that the applicant is the second wife of the ex-employee, whom she married after the death of his first wife. The husband of the applicant, Late Pravakar Nath, had submitted a letter to the Divisional Railway Manager, Eastern Railway on 25.06.2013 for inclusion of his only living wife Smt. Anjali Nath, the applicant herein, in the Pension Payment Order for family Pension benefit. Ld. Counsel for the applicant submitted that after the death of her husband, putting forth her grievance, the applicant preferred representation on 08.05.2018 under Annexure-A/6 before the authorities but till date no reply has been communicated to her. Ld. Counsel further submitted that the grievance of the applicant may be redressed if Respondent Nos. 2 and 3 are directed to consider the said representation as at Annexure-A/6 within a specific time frame.

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 Nos. 2 and 3 to consider the representation of the applicant as at Annexure-A/6, 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. It is made clear that if after such consideration the grievance of the applicant is found to be genuine and she is otherwise entitled then expeditious steps be taken within a further period of six weeks to grant her the benefits of pension. 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.



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

7. As prayed for by Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent Nos. 2 , 3 and 4, 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