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CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. NO. 350/644/2019

Soni Mali, Widow Daughter of Late Nageswar Mali, (Ex. Fitter/C&W/UDL), aged about 47 years, at present residing at Sukanta Pally, P.O. Andal, District Burdwan, Pin - 713321.

..Applicant

- Vs -

1. Union of India through General Manager, Eastern Railway,
Fairlie Place, Calcutta - 700001.
2. Divisional Railway Manager, Eastern Railway,
Asansol, Pin - 713301.
3. Sr. Divisional Personnel Officer, Eastern Railway,
Asansol, Pin - 713301.
4. Sr. Divisional Finance Manager, Eastern Railway,
Asansol, Pin - 713301.

.. Respondents

Wd

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/644/2019

Date of Order: 25.06.2019

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

SONI MALI -VS- EASTERN RAILWAY

For the Applicant(s): Mr. C. Sinha, counsel

For the Respondent(s): Mr. D. Nandy, counsel

ORDER (ORAL)

A.K. Patnaik, Member (J):

Heard Mr. C.Sinha, Ld. Counsel for the applicant, and Mr. D.Nandy, Ld. Counsel appearing for 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) To direct the respondents to grant family pension to the applicant w.e.f. 14.01.2010 with arrears and all consequential benefits.

b) Any other order or orders as the Hon'ble Tribunal deems fit and proper."

3. Brief facts of the case as narrated by the Ld. Counsel for the applicant is that applicant is the widow daughter of late Nageswar Mali, who died in harness on 27.02.1997 while working as Fitter under Eastern Railway. After the death of her father, compassionate appointment was granted to her brother and pension was released in favour of her mother. On demise of her mother, family pension was released in the name of her unmarried sister, who received the same till the date of her marriage. It is the case of the applicant that she is a widow daughter of ex-railway employee and she being entitled to get family pension as per rules

[Signature]

submitted application in prescribed format annexing all the relevant documents for inclusion of her name for family pension. Ld. Counsel for the applicant submitted that having received no response, ventilating her grievance, the applicant preferred representation dated 24.09.2018 under Annexure-A/6 before Respondent No.3 but till date no action has been taken by the Respondents. He further submitted that grievance of the applicant may be redressed if Respondent No.3 is directed to consider the said representation as at Annexure-A/6 within a specific time frame.

4. 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. 3 to consider the representation of the applicant dated 24.09.2018, 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 family 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.

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

6. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 3, for which, he undertakes to deposit the cost with the Registry within a week.

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

(A.K.Patnaik)
Member(J)

RK/PS

