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CENTRAL ADMINISTRATIVE TRIBUNAL, CALCUTTA BENCH KOLKATA

O.A.No.350/00117/2015

Date of Order : 21-09-2015

Present : **Hon'ble Mr Justice G. Rajasuria, Judicial Member**
Hon'ble Ms Jaya Das Gupta, Administrative Member

Sm. Pampa Chatterjee

.....Applicant

-Versus-

Union of India & Ors. (Eastern Railways)

.....Respondents

For the applicants : Mr D. Kundu, Counsel
For the respondents : Mr A. K. Banerjee, Counsel

ORDER (ORAL)

JUSTICE G.RAJASURIA, JM,

Heard both. This O.A has been filed seeking the following reliefs :

- a) A direction upon the respondent authorities to consider the application dated 19.09.2013 not to release the retirement benefits of the private respondent till the disposal of the Execution proceeding pending before the court below and till payment of all dues as per direction of the Court below.
2. On hearing both sides and also perusing the records what we could understand is that there is a matrimonial dispute pending between the applicant and her husband, respondent No. 6 and it appears that interim maintenance order was obtained by the wife against the husband, but she could not reap the fruit of the order even though her husband will retire by the end of this month. It is quite obvious that any interim order passed by the Court concerned could be enforced by that court only. We are also informed that such execution is pending before the Court concerned and it should be implemented by the Railway authority. Filing of O.A before CAT is not an effective remedy for execution, it is for the applicant to approach the same Court for implementation of the maintenance order. However, we give liberty to the applicant to contact the higher officials of the Railways in the Railway administration seeking redressal and with this observation we would like to dispose of the O.A.



O.A is accordingly disposed of. No costs.

(JAYA DAS GUPTA)
ADMINISTRATIVE MEMBER

(G. RAJASURIA)
JUDICIAL MEMBER

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