



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

O.A/350/1124/2016

Date of Order: 04.07.2019

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Smt. Laxmi Banerjee, wife of Late Dipak Banerjee, Ex-ME, M/SEW/NH, Ticket No. 797, Eastern Railway, Naihati under Sealdah Division, aged about 60 years, Housewife, residing at 54, Roy Bahadur Road, P.O. Naihati, P.S. Jagatdal, Dist. North 24 Parganas, Pin 743165.

--Applicant.

-VS-

1. Union of India, service through the General Manager, Eastern Railway, Fairlie Place, 17, N.S Road, Kolkata - 700001.
2. Divisional Railway Manager, Eastern Railway, Sealdah Division, D.R.M. Building, Kolkata - 700014.
3. Senior Divisional Personnel Officer, (I/C) & P.I.O., Eastern Railway, Sealdah Division, D.R.M. Building, Kolkata - 700014.

--Respondents.

For The Applicant(s): Mr. T. K. Biswas, counsel

For The Respondent(s): Mr. S.K. Das, counsel

O R D E R (Oral)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both the sides.

2. This O.A has been preferred to seek the following relief:

- "a) An order directing the respondents to set aside the order dated 1.4.2016 (Annexure A-9) and thereafter further directing the respondents to institute a proper enquiry or investigation regarding the case and find out the original facts and if the applicant is found entitled for pension then release the same with arrear and interest;
- b) An order directing the respondents to produce all the relevant records of the case so that consonable justice may be done;
- c) Any other or further order or orders as to this Hon'ble Tribunal may deem fit and proper."

3. Since it transpired at hearing that a doubt has been raised in regard to the status of the present applicant, Smt. Laxmi Banerjee, who claims to be the wife of the deceased employee Dipak Banerjee, who had been also referred to as Dipak Chandra Banerjee and even Dipak Kumar Banerjee at places, we permit the applicant to obtain a declaration from a competent court of law about her status and a report from the police authorities about the fate of GDE 1359 dated 19.09.1995, the missing diary in regard to first wife of the deceased Railway employee, and furnish the same before the Railway authority within 6 months from the date of receipt of a copy of this order.

4. Respondents upon receipt of such report and declaration shall consider the documents and pass appropriate order within one month thereafter.

5. Accordingly, the O.A. stands disposed of with the consent of the parties. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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