



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

OA. 350/01958/2015

Date of Order: 11.02.2016

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member

Smt. Geeta & Anr.
Vs.
S. E. Rly.

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : None

ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:-

This matter is taken up in Single Bench in terms of Appendix VIII of Rule 154 of CAT Rules of Practice, as no complicated question of law is involved, and with the consent of the applicant.

2. Despite effecting service upon the concerned respondents none appeared on behalf of the respondents on several occasion earlier i.e. 02.02.2016, 13.01.2016, 11.01.2016 and even today. Therefore, Rule 16(1) of CAT (Procedure) Rules, 1987 is invoked and the application is taken up in terms of Rule 16(1) of CAT (Procedure) Rules, 1987.

3. Learned counsel for the applicant submitted that the elder son of the deceased employee, late Gulab who died in harness, was considered for employment assistance on compassionate ground. However, he was found medically unfit in Medical Category A2 and below, means category Aye two, Aye three, Bee one, Bee two, Cye one and Cye two in re-medical examination and he was not found fit for such appointment. Therefore, the applicant no. 1 i.e the widow sought for consideration in favour of her second son, namely, Naveen Kumar Nahar, applicant no. 2 herein, by her application dated 19.12.2012. Further, on 14.08.2015 she made a representation stating that her son, applicant no. 2 has passed school final examination from National Open School.

4. As the representation is pending before the authorities without disposal, no fruitful purpose would be served by asking a reply in the matter.

5. Therefore, in the interest of justice, the OA is disposed of with a direction upon the Divisional Personnel Officer, South Eastern Railway being respondent no. 2 or any other competent authority to consider the representation of the applicant and to pass an appropriate reasoned and speaking order within a period of 2 months from the date of communication of this order.

6. It is made clear that if nothing stands in the way, the applicant shall be considered appropriately in accordance with law for extension of due benefits.

7. The OA is accordingly disposed of. No costs.

(Bidisha Banerjee)
Member (J)

pd