

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



No. O.A. 350/01023/2019

Date of order: 21.8.2019

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Smt. Malati Ram,
Daughter of Late Govinda Ram,
Ex-Safaiwala,
Under MD, B.R. Singh Hospital,
Eastern Railway,
And residing at Halisahar,
Rail Colony, Rail Quarter No. 47/B,
Pacca Block, P.O. Nabanagar,
Dist. : 24-Parganas (North),
Pin Code No. : 743 136.

... Applicant

- V E R S U S -

1. Union of India,
Through the General Manager,
Having its Head Office situated at
Eastern Railway,
17, N.S. Road,
Kolkata - 700 001.
2. The Divisional Railway Manager,
Having his office situated at
Eastern Railway,
Sealdah Division,
Sealdah,
Kolkata - 700 014.
3. The Senior Divisional Personnel Officer,
Having his office situated at
Eastern Railway,
Sealdah Division,
Sealdah,
Kolkata - 700 014.

... Respondents

For the Applicant : Mr. N. Roy, Counsel

For the Respondents : Mr. D. Nandi, Counsel

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

The applicant has approached the Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

"(a) To issue direction upon the respondent authorities to consider the representation, dtd. 2.4.2019 for family pension along with other service benefit forthwith.

(b) To issue further direction upon the respondent authorities to give family pension along with other service benefit to the applicant forthwith.

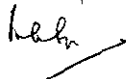
(c) Any other order or further order or orders as deem fit and proper under the circumstances of the case.

(d) To produce connected Departmental Record at the time of hearing."

2. Heard both Ld. Counsel, examined documents on record. The matter is taken up at admission stage for disposal.

3. The submissions of the applicant, as made through her Ld. Counsel, is that, the father of the applicant, the ex-employee of the respondent authorities, had expired on 24.2.1982 and the mother of the applicant, the family pensioner also passed away on 16.1.2001. Upon the applicant's prayer for settlement dues, the respondent authorities vide their communication dated 17.7.2018 (Annexure A-5 to the O.A.) had directed her to obtain succession certificate in order to establish her right as the claimant.

The applicant is an aspirant for family pension and her sister has indicated her 'No Objection' in disbursing family pension to the applicant. The applicant not having received any favourable response to her prayers, had thereafter represented on 2.4.2019 (Annexure A-7 to the O.A.) to the respondent authorities for early grant of family pension. Ld. Counsel for the applicant would urge that a direction be issued on the concerned respondent authorities to decide on the said representation in a time bound manner.



4. Ld. Counsel for the respondents does not object ^{to} disposal of such representation in accordance with law.

5. Accordingly, without entering into the merits of the matter, as well as with the consent of the parties, we hereby direct the respondent No. 3, who is the Senior Divisional Personnel Officer, Eastern Railway, Sealdah Division, Sealdah, to examine the contents of the representation dated 2.4.2019, if received at his end, within a period of 12 weeks from the date of receipt of a copy of this order. The said respondent authority shall decide in accordance with law and convey his decision in the form of reasoned and speaking order forthwith thereafter to the applicant.

6. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP