

CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH
Original application No. 040/00245/2019
Date of Order: 14.08.2019

THE HON'BLE MRS.MANJULA DAS, JUDICIAL MEMBER

Smti. Annie Joseph alias Annie Sarma
W/O Sri Rama Kanta Sarma
Resident of Village- No. 1 Bongalgaon
P.O.- Banipur, P.S. & Dist.- Dibrugarh, Assam
PIN-734013

.....**Applicant**

By Advocate: Shri. R. Hazarika.

-Versus-

1. The Union of India
Represented by the Secretary
Ministry of Railways
New Delhi-110001.
2. The General Manager
N. F. Railway, Maligaon
Guwahati-781011
3. The Divisional Railway Manager
N. F. Railway, Tinsukia.
4. The Finance Auditing & Chief, Accounts
Officer/Pension, N. F. Railway, Maligaon
Guwahati-781011.
5. The Chief Medical Superintendent,
N. F. Railway, Dibrugarh Town
PIN-786125

.....**Respondents**

O R D E R (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

In view of the order passed in M.A.No.117 of 2019, the present O.A. No.245 of 2019 is registered and taken up.

2. The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 seeking the following main reliefs.

- “8.1 To direct the respondent authority to refund the amount of Rs. 2, 24,499/- (Rupees two lakhs twenty thousand four hundred ninety nine) only which has already been recovered from the pension of the applicant.
- 8.2 To grant the G.P. of Rs.6600/- instead of Rs.5400/- and to fix the pension accordingly.”

3. At the outset, Shri R.Hazarika, learned counsel appearing on behalf of the applicant submits that the applicant may be granted liberty to file a comprehensive representation or this O.A. may be treated as a comprehensive representation and consider the same by the respondents within a time frame in the light of decision rendered by the **Hon'ble Supreme Court in the case of State of Punjab & Others -Vs- Rafiq Masih (White Washer) etc.,(2015) 4 SCC 334.**

4. By accepting the prayer made by the learned counsel for the applicant and without going into the merit of the case, I direct the applicant to submit this O.A. before the respondent authority i.e. General Manager, N. F. Railway, Maligaon (Respondent No.2) within a period of 15 days from the date of receipt of a copy of this order. On receipt of such, the respondent No.2 shall treat the same as a comprehensive representation and dispose of it in the light of decision rendered by the **Hon'ble Supreme Court in the case of State of Punjab & Others -Vs- Rafiq Masih (White Washer) etc.,(2015) 4 SCC 334**, within a period of 3 months thereafter.

5. It is made clear that the decision so arrived shall be reasoned and speaking and be communicated to the applicant forthwith.

6. With the above observation and direction, O.A. stands disposed of at the admission stage. No order as to costs.

MANJULA DAS
MEMBER (J)

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