



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

O.A/350/482/2018

Date of Order: 19.11.2019

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

Prabir Kumar Dutta, s/o Late Prabhat Kumar Dutta, aged about 57 years, Retd. Catering Inspector, Santragachi, S. E. Railway residing at 4, Dr. Ashutosh Sstri Road, Kolkata - 700010.

--Applicant

Versus

1. Union of India, service through the General Manager, S. E. Railway, 13, Garden Reach Road, Garden Reach, Kolkata 700043.
2. The Chief Personnel Officer, S. E. Railway, 13, Garden Reach Road, Garden Reach, Kolkata 700043.
3. F.A. & CAO, S.E Railway (Pension), 13, Garden Reach Road, Garden Reach, Kolkata 700043.
4. Chief Comm'l Manager, S.E Railway, 14, strand Road, New Koilkaghat, Kolkata 700001.
5. Senior Personnel Officer (comm'l) 14, strand Road, New Koilkaghat, Kolkata 700001.

--Respondents.

For The Applicant(s): Mr. D. K. Mukhopadhyay, counsel

For The Respondent(s): Ms. A. Basu, counsel

ORDER (ORAL)

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

This matter is taken up in the 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 both sides.

2. Heard ld. counsels for both parties.

3. Respondents have failed to file their reply despite repeated chances.

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4. At hearing, ld. counsel for the respondents submits that he would prefer a representation to the competent respondent authorities to seek benefits of the judgement of this Tribunal in O.A 315/2018, where in similar circumstances, this Tribunal had allowed benefits of one decision of the Hon'ble Apex Court in D. D. Tiwari (Dead) through legal representatives vs. Uttar Haryana Bijli Vitran Nigam Limited and others (2014) 8 SCC 894 and disposed of the said O.A No. 315/18 by directing the respondent to pay interest at current rate on the delay payment of pensionary benefits.

5. Accordingly, without entering into the merits, the O.A is disposed of with liberty to the applicant to prefer comprehensive representation to the competent respondent authority, annexing copy of order in the O.A 315/2018, as well as the decision in DD. Tiwari (supra) and to seek benefits within a period of 4 weeks from the date of receipt of a copy of this order. In the event such representation is preferred by the applicant, the competent respondent authority shall consider the same in the light of the judgement, supra, and pass reasoned and speaking order within a period of 3 months from the date of receipt of such representation. If nothing stands in the way, appropriate benefits shall be released within a further period of 3 months.

6. The present OA accordingly stands disposed of. No costs.

(Bidisha Banerjee)
Member (J)