

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA

LIBRARY

No. O.A. 350/01774/2017

Date of order: 30.9.2019

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

Smt. Thakur Mani Murmu,  
 Wife of late Smriti Kantha Murmu,  
 Alias Smriti Kanta Murmu,  
 Residing at  
 Village – Indrabil,  
 Post Office – Kalidaha,  
 Police Station – Kashipur,  
 District – Purulia,  
 Pin – 723 121.

Applicant

VERSUS

1. Union of India,  
 Service through the General Manager,  
 South Eastern Railway,  
 Garden Reach,  
 11, Garden Reach Road,  
 Kolkata – 700 043.
2. The Railway Board,  
 Ministry of Railways,  
 Government of India,  
 Rail Bhavan,  
 New Delhi – 110 001.
3. The Chairman,  
 Railway Board,  
 Ministry of Railways,  
 Government of India,  
 Rail Bhavan,  
 New Delhi – 110 001.
4. The Divisional Railway Manager (T),  
 South Eastern Railway,  
 Having his office at Kharagpur,  
 District – Paschim Medinipur – 721 301.
5. The Divisional Railway Manager,  
 South Eastern Railway,

*Reh*

Adra Division,  
Post Office – Adra,  
District – Purulia,  
Pin – 723 121.

6. The Senior Divisional Personnel Officer,  
South Eastern Railway,  
Adra Division,  
Post Office – Adra,  
District – Purulia,  
Pin – 723 121.

7. Machan Hansda alias Tudu,  
Wife of Mangal Hansda,  
Residing at Village – Panchagora,  
Post Office – Gourangdih,  
Police Station – Kashipur,  
District – Purulia,  
Pin – 723 121.

Respondents

For the Applicant

Mr. P.C. Das, Counsel

Mr. V. Bauri, Counsel

Mr. S. Santra, Counsel

For the Respondents

Mr. P. Prasad, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

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

- (a) Admit the original application.
- (b) Pass an appropriate Order directing the concerned respondent authorities and each one of them to disburse the death benefits as well as family pension of the deceased employee along with the interest accrued thereon in favour of your applicant in accordance with law and the rules framed thereunder without making any in ordinary delay.
- (c) To produce all the records in connection with the instant case, before this Hon'ble Tribunal for the ends of justice.
- (d) Costs of and/or incidental to this application be borne by the respondents;
- (e) Such further and/or other order or orders be passed and/or direction or directions be given, as to this Hon'ble Tribunal may deem fit and proper."

*W.C.*

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

3. The submissions of the applicant, as made through her Ld. Counsel is that, her spouse was an ex-employee of the respondent authorities.

That the said ex-employee died in harness on 9.11.2015, and, thereafter, the applicant severally represented praying for payment of death benefits as well as family pension. The respondents did not act on her repeated prayers. Hence, being aggrieved at the non-receipt of family pension and other death benefits, the applicant has approached the Tribunal praying for the aforementioned relief.

4. Ld. Counsel for the respondents refers to Annexure A-4 to the O.A. whereby, vide a communication dated 1.7.2016, the applicant was directed to submit 16 documents followed by further advice dated 15.7.2016 seeking clarifications on the legal heir certificate.

Ld. Counsel for the applicant submits, that, on 6.7.2017 (Annexure A-6 to the O.A.), the applicant had submitted all the requisite documents including the details of legal heirs and, that, based on the same, the respondents should grant her the requisite benefits.

5. Ld. Counsel for the respondents agrees to decide on such representation in accordance with law.

6. As no useful purpose will be served in calling for a reply given the pending representation of the applicant, we would, hence, without entering into the merits of the matter, and, with the consent of the parties, direct respondent No. 6, who is the Sr. Divisional Personnel Officer, South Eastern Railway, Adra Division, to examine the contents of such representation (Annexed as Annexure A-6 to the O.A.), and, thereafter decide on the same in accordance with law within a period of 8

*he/h*

weeks from the date of receipt of a copy of this order. Decision arrived at should be conveyed to the applicant in the form of a reasoned and speaking order.

In the event the respondent authorities arrive at a decision in favour of the applicant, consequent benefits, including family pension, should be sanctioned and released to the applicant within a further period of 12 weeks thereafter.

7. With these directions, the O.A. is disposed of.

M.A. bearing No. 622 of 2018 filed by the respondents for deletion of the name of respondent No. 2 from the array of respondents is disposed of accordingly.

*(Dr. Nandita Chatterjee)*  
**Administrative Member**

*(Bidisha Banerjee)*  
**Judicial Member**

**SP**