

05.12.2023
Court No. 13
Item No. 28
pk

WPA 18158 of 2023

**Maya Mondal
Vs.
Union of India and Ors.**

Mr. Indranil Munshi

... For the Petitioner.

Mr. Dibasish Basu

Ms. Mary Datta

... For the Respondent Nos.1 & 4.

Mr. Sourojit Dasgupta,

Ms. Rupal Singh

Mr. Ashok Kumar Singh

... For the Respondent Nos.2 & 3.

1. The Bank of India/respondent no. 3 has filed a report in the form of affidavit, which is taken on record. Likewise the Union of India/Railways have also filed a report in the form of affidavit, which is taken on record.

2. It is the contention of the Railways that the petitioner is the younger daughter of the deceased employee, Sashindra Nath Mondal. The petitioner has an elder sister, Bijoli Mondal, who is a widow and is receiving pension. Hence the petitioner is not entitled to pension.

3. Since service disputes under the Railways is to be adjudicated before the Central Administrative Tribunal within the meaning of the Administrative Tribunals Act, 1985, the writ petition is disposed of reserving liberty to the petitioner to approach the Tribunal in accordance with law.

4. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)