

**LIBRARY****CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA**

O.A/350/181/2014

Date of Order: 11.12.2019

**Coram:** Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Bijoy Kar, son of Late Bimal Chandra Kar, aged about 43 years, residing at 1/H25, Murari Pukur Road, Kolkata – 700067, working as Skilled Technician, Grade-II, under Senior Station Engineer, C&W Eastern Railway, Sealdah Division, Sealdah, Kolkata – 700014.

--Applicant

-Versus-

1. Union of India, service through the General Manager, Eastern Railway, 17, Netaji Subhas Road, Kolkata – 700001.
2. The Chief Personnel Officer, Eastern Railway, 17, Netaji Subhas Road, Kolkata – 700001.
3. The Divisional Railway Manager, Eastern Railway, Sealdah Division, Post Office -Sealdah, Kolkata – 7000014.
4. The Senior Section Engineer (C&W), Eastern Railway, Post Office -Sealdah, Kolkata – 7000014.

--Respondents

For The Applicant(s): Mr. A. P. Deb, counsel  
For The Respondent(s): Mr. A. K. Guha, counsel

**ORDER (ORAL)****Per: Ms. Bidisha Banerjee, Member (J):**

Heard ld. counsel for both sides.

2. The speaking order that is under challenge reveals that the applicant did not possess the requisite educational qualification necessary for the purpose of promotion to the post of J.E. Ld. counsel for the applicant submits that being a departmental candidate, he ought to have been granted benefits in terms of the Railway Board's circular which entitles Technicians to apply

for the post of JE even without meeting the requisite educational qualification as required for consideration.

However, ld. counsel for the applicant admits he has not preferred any representation seeking consideration in terms of the said circular, he therefore seeks liberty to withdraw the present O.A to seek benefit of the circular through a comprehensive supra.

3. Accordingly, the O.A is disposed of as 'withdrawn' with liberty to the applicant to file comprehensive representation to the competent respondent authority seeking consideration in terms of the Board's circular, within a period of 2 weeks from the date of receipt of a copy of this order. In the event such representation is preferred, the competent respondent authority shall consider the same in accordance with law and pass appropriate orders within a period of 3 months from the date of receipt such representation.

4. It is made clear that we have not entered into the merit of the matter and all the points to be raised in the representation are kept open for consideration.

(Nandita Chatterjee)  
Member (A)

(Bidisha Banerjee)  
Member (J)