

6.1
O.A. 1441/2019

LIBRARY

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

Bilash Kumar, S/o Bahadur Prasad Singh, aged about 33 years, at present working as Sr. Assistant Loco Pilot (DSL) /RPH/Howrah under the overall control of Divisional Railway Manager, Eastern Railway, Howrah at present residing at Mourya Nagar Colony, Shalehpur, P.O. - Mirjanhat, Dist. Bhagalpur, State - Bihar, Pin - 812005.

...Applicant

- Vs -

1. Union of India through General Manager, Eastern Railway, Fairlie Place, Calcutta - 700001.
2. Divisional Railway Manager, Eastern Railway, Howrah, Pin - 711101.
3. Sr. Divisional Mechanical Engineer
Eastern Railway, Howrah, Pin - 711101.
4. Sr. Divisional Personnel Officer, Eastern Railway, Howrah, Pin - 711101.

.. Respondents

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

No.O A.350/1441/2019

Date of order : 06.01.2020

Coram : Hon'ble Mrs. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

BILASH KUMAR
VS.
UNION OF INDIA & OTHERS
(EASTERN RAILWAY)

For the applicant : Mr. C. Sinha, counsel

For the respondents : Mr. D. Basak, counsel

ORDER

Bidisha Banerjee, Judicial Member

In this O.A. the applicant has sought for the following reliefs:-

"a) To direct the respondents to consider the case of the applicant for promotion to the post of Loco Pilot Goods(Diesel) in level-6 corresponding to GP Rs.4200/- on successful completion of the Promotional Training Course w.e.f. the date his juniors has been given the said promotion with all consequential benefits;

b) Any other order or orders as the Hon'ble Tribunal deems fit and proper."

2. Main grievance of the applicant is that though he is a Senior Assistant Loco Pilot under the respondents and have completed promotional training course much prior to his juniors, his juniors have been granted promotion prior to him depriving his legitimate claim.

3. Heard ld. counsel for both sides.

4. Ld. counsel for the applicant submits that the applicant submitted representations to the authorities ventilating his grievances therein, but his prayer has not yet been considered. He further submits



that the applicant would be satisfied for the present if a direction is given to the Respondent No.4 to consider and dispose of his last representation dated 18.09.2019 (Annexure A/10) as per rules in a time bound manner.

5. We think it would not be prejudicial to either of the parties if the prayer of the Id. counsel for the applicant is allowed.

6. Accordingly the Senior Divisional Personnel Officer, Eastern Railway, Howrah i.e. the Respondent No.4 or any other competent authority is directed to consider and dispose of the representation of the applicant dated 18.09.2019(Annexure A/10) by passing a reasoned and speaking order as per rules within a period of two months from the date of receipt of a copy of this order. If the applicant's claim is found to be genuine, consequential benefits be granted to him within a further period of two months from the date of taking decision in the matter. It is made clear that we have not gone into the merits of this case and all the points are kept open for consideration by the respondents as per rules.

7. With the above observations, the O.A. stands disposed of. No order as to costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

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