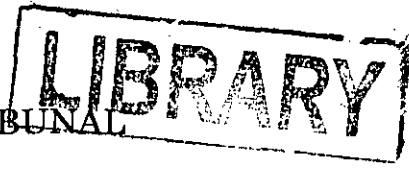


CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



O.A/350/00039/2016
M.A/350/300/2019

Date of Order: 28.01.2020

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

1. Shri Chandan Ghosh, son of Late Sambhu Chandra Ghosh, aged about 59 years, working as Helper Gr. I at Kanchrapara Workshop, Eastern Railway, residing at Ramkrishnapally (Kowgachi), P.O. Shyamnagar, Dist. 24 Parganas (North), Pin - 743127.
2. Shri Sanjay Ghosh, son of Shri Chandan Ghosh, aged about 23 years, residing at Ramkrishnapally (Kowgachi), P.O. Shyamnagar, Dist. 24 Parganas (North), Pin - 743127.

---Applicants

-Versus-

1. Union of India, service through the General Manager, Eastern Railway, 17, Netaji Subhas Road, Kolkata - 700001.
2. Chief Personnel Officer, Eastern Railway, 17 N.S Road, Kolkata - 700001.
3. The Chief Works Manager, Eastern Railway, Kanchrapara Workshop, P.O Kanchrapara, District: 24 Parganas (North), Pin- 743145.
4. The Workshop Personnel Officer, Eastern Railway, Kanchrapara Workshop, P.O Kanchrapara, District: 24 Parganas (North), Pin- 743145.

--Respondents

For The Applicant(s): Mr. B. C. Deb, counsel

For The Respondent(s): Mr. K. Sarkar, counsel

ORDER (O R A L)

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

This O.A has been preferred to seek the following relief:

"a) Leave may be granted to the applicants to file this application jointly u/s 4(5)(a) (Procedure) Rules, 1987.



b) Direction upon the respondents to consider the case of appointment of the applicant No. 2 in Safety Related Retirement Scheme at an early date, and save the poor employee from financial hardship.

c) Any order and/or further order or orders as the Hon'ble Tribunal may deem fit and proper."

2. Heard ld. counsel for both sides.

3. At hearing, Ld. counsel for the applicant sought for liberty to withdraw this O.A to prefer a comprehensive representation to the authorities to seek benefits in terms of the RBE 39/2019, which was not previously sought for by the applicant.



4. Ld. counsel for the respondents does not have objection, if such prayer is allowed.

5. Accordingly, we allow the O.A to be withdrawn, giving liberty to the applicant to file comprehensive representation seeking consideration in terms of the RBE 39/2019, to the competent respondent authority, within a period of 4 weeks from the date of receipt of a copy of this order. In the event such representation is preferred, the competent authority shall consider and dispose it of in accordance with the RBE 39/2019 and issue a reasoned and speaking order to the applicant, within a period of 2 months from the date of receipt of such representation.

6. It is made clear that we have not entered into the merits of the matter and therefore all the points to be raised in the representation shall be open for consideration.

7. The present O.A stands disposed of as withdrawn. M.A consequently stands disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)