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CENTRAL ADMINISTRATIVE TRIBUNAL KOLKATA BENCH, KOLKATA

O.A/350/1407/2019

Date of Order: 11.02.2020

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

Gautam Biswas, son of Late Monoranjan Biswas, residing at 65, Santinagar Street, P.O- Bhadrakali, District - Hooghly, Pin - 712232. Chief Time Keeper (CTK) L7 attached to the time office C&W Workshop, Eastern Railway, Howrah, Pin - 711204.

--Applicant

--Versus--

1. Union of India, service through the General Manager, Eastern Railway, 17, Netaji Subhas Road, Fairley Place Kolkata - 700001.
2. Principal Chief Personnel Officer, Eastern Railway, 17, Netaji Subhas Road, Fairlie Place Kolkata - 700001.
3. Chief Works Manager, Eastern Railway, C&W Workshop, Liluah, Howrah - 711204.
4. Workshop Personnel Officer, Eastern Railway, C&W Workshop, Liluah, Howrah - 711204.

--Respondents

For The Applicant(s): Mr. S. Mustaphi, counsel

For The Respondent(s): Mr. S. K. Tiwari

O R D E R (O R A L)

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

Heard ld. counsel for both sides.

The applicant has preferred this O.A to seek the following relief:

- "a) An order or direction do issue directing the Respondents to remove the anomalies in the Provisional Gradation List for the post of Chief Time Keeper wherein some Juniors to the applicant in service of initial grade of Junior time Keeper have been superseded.
- b) To pass an order directing the Respondents to rescind/cancel/withdraw the order/letter dated 10.04.2019 (Annexure A-12) to this application.
- c) To pass an order directing the respondents to consider the case of the applicant afresh regarding the seniority position in the Provisional gradation List for the post of Chief Time Keeper on the basis of the date of entry in to the service.
- d) To pass an order directing the Respondents to consider the appeal/objection preferred to the applicant before the concerned authorities regarding the

Seniority position in the provisional Gradation List for the post of Chief Time Keeper.

e) An order or direction do issue directing the respondents to produce all relevant records of the applicant before the Hon'ble Tribunal so that concessionable justice may be done.

f) To pass any other order/orders as to Your Lordships may seem fit and proper."

3. At hearing, it transpired that the appeal dated 16.05.2019 preferred by the applicant has been disposed of already by the Appellate Authority but the same has not been communicated to the applicant as yet and, to that effect the applicant has not been able to challenge the speaking order.



4. Accordingly, we disposed of the O.A with a direction upon the respondents to communicate the speaking order passed by the Appellate Authority within a period of 4 weeks from the date of receipt of a copy of this order. Upon receipt of such, applicant is also at liberty to challenge the speaking order in a freshly instituted OA, if aggrieved.

5. The present O.A accordingly stands disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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