

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA



No. O.A. 350/01560/2019

Date of order: 13.2.2020

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

**DWIPJALY MANDAL**

**VS.**

**UNION OF INDIA & ORS. (Eastern Railway)**

For the Applicants : Mr. N. Roy, Counsel

For the Respondents : Mr. P. Bajpayee, Counsel

**O R D E R (Oral)**

**Per Dr. Nandita Chatterjee, Administrative Member:**

The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

- “(a) To issue direction upon the respondent authorities to give appointment in favour of the applicant Nos. 3 and 7 in terms of R.B. Circular No. 99/2010 forthwith;
- (b) To issue further direction upon the respondent authorities to consider the representation, dtd. 22.07.19 for appointment under the land loser scheme forthwith;
- (c) Any other order or further order or orders as deem fit and proper under the circumstances of the case;
- (d) To produce connected departmental record at the time of hearing;
- (e) Leave may be granted to file the joint application under Rule 4(5)(a) of the CAT (procedure) Rules, 1987.”

2. Heard both Ld. Counsel, examined documents on record. The matter is taken up at admission stage for disposal.

3. Ld. Counsel for the applicant would submit that the applicant is a land loser as her land was acquired for the purpose of Special Railway Project, namely, Dankuni Furfurasharif New Broad Gauge Line and

*Handwritten signature*



compensation was received thereupon. Although the applicant had applied for appointment as per provisions of RBE No. 99 of 2010 dated 16.7.2010, no appointment was offered to her and, accordingly, being aggrieved, the applicant made a further representation dated 22.7.2019 (Annexure A-5 to the O.A.) which also remains unanswered. Hence, the applicant has approached this Tribunal for the above mentioned relief. Ld. Counsel for the applicant further avers that the applicant would be satisfied if a direction is issued upon the concerned respondent authority to consider her representation dated 22.7.2019 in a time bound manner and in the light of the decisions of the Hon'ble High Court at Calcutta in WPCT No. 74 of 2016.

4. Ld. Counsel for the respondents does not object to such submissions of Ld. Counsel for the applicant.

5. Accordingly with the consent of the parties, and, without entering into the merits of the matter, we hereby direct the respondent No. 4, who is the addressee respondent in the applicant's representation dated 22.7.2019, to examine and decide on her representation, if received at his end, within a period of 12 weeks from the date of receipt of a copy of this order. The said authority will decide thereupon in accordance with law, and, particularly in the light of the decisions of the Hon'ble High Court at Calcutta in WPCT No. 74 of 2016.

The decision arrived at should be conveyed to the applicant in the form of a reasoned and speaking order forthwith thereafter.

6. With these directions, the O.A. is disposed of. No costs.

**(Dr. Nandita Chatterjee)**  
**Administrative Member**

**(Bidisha Banerjee)**  
**Judicial Member**

**SP**