

(16)

Central Administrative Tribunal, Principal Bench

Original Application No.2780 of 2001

New Delhi, this the 30th day of December, 2002

Hon'ble Mr.Justice V.S.Agarwal,Chairman
Hon'ble Mr.V.Srikantan,Member(A)

1. Prabir Kumar Banerjee,
S/o late Shri Santosh Kumar Banerjee,
Permanent resident of:
Vill. & P.O. Madarat,
Distt 24 Parganas (South)
West Bengal.
2. Amit A. Banerjee,
S/o late Shri Santosh Banerjee,
Permanent resident of:
Vill. & P.O. Madarat,
Distt 24 Parganas (South)
West Bengal.
3. Jogendra Narayan Mukherjee,
S/o late Shri Uday Narayan Mukherjee,
Permanent resident of:
Vill. & P.O. Madarat,
Distt 24 Parganas (South)
West Bengal.
4. Nripendra Bhusan Mukherjee,
S/o late Shri Bhabhuti Bhusan Mukherjee,
Permanent resident of:
Vill. & P.O. Madarat,
Distt 24 Parganas (South)
West Bengal.
5. Ashit Kumar Das,
Late Shri Binoy Das Bhusan,
Permanent resident of:
Vill. & P.O. Madarat,
Distt 24 Parganas (South)
West Bengal.
6. Sanat Kumar Mukherjee,
Late Shri Deb Narayan Mukherjee,
Permanent resident of:
Padma Pukur,
P.O. Baruipur,
Distt 24 Parganas (South)
West Bengal.
7. Shyama Prosad Majumdar,
Permanent resident of:
Vill. Malancha Mahinagar,
Distt 24 Parganas (South)
West Bengal.
8. Manmatha Ranjan Das,
Late Shri Chandra Das,
Permanent resident of 4,
Jadu Srimani Lane,
Kolkata

9. Tarapada Seth,
S/o late Shri Sashi Bhushan Seth,
Permanent resident of:
P.O. & Vill. Fingapada
Distt 24 Parganas (South)
West Bengal.
10. Shibendra Nath Kulavi
S/o Shri Ganesh Nath Kulavi,
Permanent resident of:
Vill. Tantra,
P.O. Bhabla
Distt 24 Parganas (North)
West Bengal.
11. Sankar Kumar Ghosh,
Late Shri Satish Chandra Ghosh
Permanent resident of:
90, Dakshin Buxarah Road,
P.O. Buxarah,
Howrah.
12. Sajal Banerjee
S/o late Shri Dasarathi Banerjee,
Permanent resident of:
32/1, Deshapran Sasmal Road,
Post - Kadamtala,
Howrah.
13. Sanat Mukherjee
S/o late Shri Upendra Nath Mukherjee,
Permanent resident of:
Biseswar Banerjee Lane,
Kadamtala,
Howrah.
15. Fatick Nandy,
S/o late Shri Banku Behare Nandy,
58/1/2/1, Gopal Banerjee Lane,
Ramkrishnapur,
Howrah.
16. Sukumar Mukherjee
S/o late Shri Nagendra Nath Mukherjee,
Permanent resident of:
7, Bantra East Lane,
Kadamtala,
Howrah.
17. Nisar Ahmad
S/o late Shri Abdul Gaffuar
Permanent resident of:
Jolapara Masjid Lane,
Post
Howrah. and
18. Santi Ranjan Banerjee,
S/o late Shri Basanta Kumar Banerjee,
Permanent resident of
Rohara Kervlia
P.O. Jogipada

Distt. 24 Parganas (North)
West Bengal.

....Applicants

(By Advocate: Shri Ranjit Sharma)

versus

1. Union of India, through

The Chairman
Railway Board,
Rail Bhawan,
New Delhi

....Respondent

(By Advocate: Shri R.L. Dhawan)

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

By virtue of the present application, applicants who were earlier the employees of Martin's Light Railways, seek a relief to direct the respondents to count their previous service for pensionary and other retiral benefits.

2. Needless to state that petition is being contested.

3. During the course of submissions, learned counsel for the applicants had drawn our attention to the letter of Divisional Personnel Officer, Sealdah dated 2.12.99 mentioning that the case is being referred for the approval of the Railway Board.

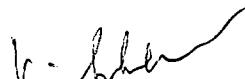
4. Learned counsel for the applicants urged that no such decision of the Railway Board has been communicated to the applicants. He was not aware whether any such decision had been taken or not.

5. At this stage, we are not expressing any opinion

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on the merits of the matter but we dispose of the present petition with a direction that decision, if any, taken on the question in controversy may be communicated to the applicants and if the decision has not been taken by the Railway Board, it may be so taken preferably within six months from the receipt of the certified copy of the present order and communicated to the applicants. With these directions, the O.A. is disposed of.

6. By way of abundant caution, we make it clear that we have not touched the merits of the matter including the question of limitation.


(V. Srikantan)
Member(A)


(V.S. Aggarwal)
Chairman

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