

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 040/00068/2021

Date of Order: This, the 4th Day of March, 2021

THE HON'BLE SMT. MANJULA DAS, MEMBER (J)

THE HON'BLE MR. NEKKHOMANG NEIHSIAL, MEMBER (A)

1. Sri Sukumar Das
S/O Late Prafulla Chandra Das
Helper-1
Office of the Deputy Chief Materials Manager
Pandu, Guwahati-781012, Assam.
2. Sri Sukanta Kumar Mitra
S/O Late Nirmal Kumar Mitra
Helper-1
Office of the Deputy Chief Materials Manager
Pandu, Guwahati-781012, Assam.



... Applicants

By Advocate: Sri G.J. Sharma

-Versus-

1. The Union of India
Through General Manager
N.F. Railway, Maligaon, Guwahati-781011, Assam.
2. General Manager (P)
N.F. Railway, Maligaon, Guwahati-781011, Assam.
3. Principal Chief Material Manager
N.F. Railway, Maligaon
Guwahati-781011, Assam.

O.A. No. 040/68/2021

4. Deputy Chief Materials Manager
Pandu, Guwahati-781012, Assam.

...Respondents

O R D E R (ORAL)

MANJULA DAS, MEMBER (J):



Since both the applicants are seeking similar relief from the same respondents, hence their prayer for filing this O.A. jointly in a single application under Rule 4(5)(a) of CAT (Procedure) Rules, 1987 is hereby allowed.

2. The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act 1985, with the following reliefs:-

“8.1 The impugned Notice dated 06.02.2021(Annexure A1) be set aside and quashed.

8.2 The Hon'ble Tribunal be pleased to direct the respondents to declare the results of the Selection Examination held on 17.03.2019 in terms of the Notification dated 27.04.2018 and complete the selection process.

8.3 Any other relief or reliefs as the Hon"ble Tribunal may deem fit and proper, including the cost of the case.”

3. Heard Sri G.J. Sharma, learned counsel for the applicants, perused the pleadings and all the documents enclosed there with the OA.

4. During argument, this court specifically asked whether the present applicants approached before the appropriate authority for redressal of their grievances, Sri G.J. Sharma, learned counsel appearing for the applicants informed that without ventilating the grievances before the respondent authority, these two applicants have directly approached this Tribunal. However, he suggested that let this O.A. be allowed to submit before the respondent authority which may be accepted and treated as a comprehensive representation by the respondent authority and dispose of it within a reasonable period.

5. We have accepted the said suggestion made by Sri G.J. Sharma, learned counsel for the applicant. Accordingly, in the interest of justice and without issuing notice upon the respondents as well as without going into the merit of the case, we hereby direct the



applicants to submit this O.A. before the appropriate authority within a period of 10 days from today. On receipt of said O.A., the respondent/appropriate authority shall treat the same as a comprehensive representation and dispose of the same by passing a reasoned and speaking order, within a period of one months' thereafter.



6. Whatever decision to be arrived by the respondent/appropriate authority, shall be communicated to the applicants forthwith.
7. With the above directions, O.A. stands disposed of at the admission stage itself.
8. There shall be no order as to costs.

(NEKKHOMANG NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

PB

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