

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



OA. 350/658/2020

Date of order: 05.10.2020

Present :Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Mr. Tarun Shridhar, Administrative Member

Sri Pabitra Dasadhikari,
Son of Asim Dasadhikari,
Aged about 24 years,
Residing at Vill. Benauda,
P.O. Mohammadpur,
P.S. Bhagwanpur,
Dist. – East Midnapore,
Pin – 721601.

..... Applicant.

-Versus-

1. Union of India,
Service though the General Manager,
South Eastern Railway,
Garden Reach, Kolkata – 43.
2. Deputy Chief Engineer/ Design,
S.E. Railway, Garden Reach,
Kolkata – 43.

..... Respondents.

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. D. Chowdhury, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard both.



2. The facts of this case in a nutshell are that the applicant was engaged as TADK under Deputy Chief Engineer/Design, S. E. Railway with the approval of General Manager. The applicant was declared medically fit for appointment. As such he joined as a TADK on 02.09.2019 to the residence of Sri Asis Kumar Bhowmik, the Deputy Chief Engineer/Design, S.E. Railway. Vide letter dated 03.07.2020, the officer advised him to rectify himself and to behave properly, whereafter he was not allowed to join his duty. He made second request and even preferred representations to the Deputy Chief Engineer, Design with a prayer to allow him to join his duty, but to no avail. His representations as contained in Annexure A-5 have failed to elicit any response till date. Hence, the present OA by which the following relief has been sought for:

"8.a) Letter No. DD/E1/ESTAB/TADK/PT-1 dated 03.07.2020 issued by Dy. Chief Engineer/ Design cannot be sustained in the eye of law and therefore the same may be quashed.

b) An Order do issue directing the respondents to allow the applicant to perform his duty as TADK under Deputy Chief Engineer, Design/ S.E. Railway, Garden Reach;"



3. Since the applicant has preferred a representation only on 21.07.2020 seeking the same reliefs as in the OA and has rushed to this Tribunal while his representation is yet to be disposed of, and since no fruitful purpose would be served in calling for a reply in this matter unless the representation is decided by the respondent authorities, we propose to dispose of the OA at the admission stage itself.

4. Accordingly, we direct the concerned respondent no. 2 or any other competent authority to consider the grievance of the applicant, as highlighted in his representation dated 21.07.2020, after proper verification and decide the same in accordance with law issuing an appropriate reasoned

and speaking order, within a period of 2 months from the date of receipt of copy of this order.

5. It is made clear that we have not entered into the merits of this matter and therefore, all points are kept open for consideration.

6. The present OA accordingly stands disposed of. No costs.

(Tarun Shridhar)
Member (A)

(Bidisha Banerjee)
Member (J)

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