



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

O.A. No.350/00228/2020.

Date of order : This the 9th Day of September, 2020.

Hon'ble Mrs. Bidisha Banerjee, Judicial Member

Hon'ble -Dr. (Ms) Nandita Chatterjee, Administrative

Arun Kumar Biswas,
Son of Late A.K. Biswas,
Aged about 61 years,
Worked as CFT/E.Rly., SDAH/Kolkata,
Residing at A-3/2/10/KMDA Housing Complex,
A9X, Kalyani, Dist. Nadia,
West Bengal,
Pin - 741235.

.....Applicant

By Advocate : Mr. T.K. Biswas

+Versus-

1. Union of India,
Through the General Manager,
Eastern Railway,
Fairlie Place,
17, N.S. Road,
Kolkata - 700 001.
2. The Chief Personnel Officer,
Eastern Railway,
Fairlie Place,
17, N.S. Road,
Kolkata - 700 001.
3. Divisional Railway Manager,
Eastern Railway,
Sealdah Division,
Sealdah,
Kolkata - 700 014.
4. Divisional Commercial Manager,

Eastern Railway,
Sealdah Division,
Sealdah,
Kolkata - 700 014.

.....Respondents

By Advocate : Mr. K. Sarkar

Dr (Ms) Nandita Chatterjee, Member(A)

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

- a) An order directing the respondents to fix his pay according to his junior namely, Susanta Kr. Biswas's pay basis (i.e. grade pay of Rs.4600/-) from the year 2014 and thereafter re-calculate the retirement benefits and also fixed the pension according to grade pay Rs.4600/- and the said grade pay was got his junior from the year 2014 so that the applicant is entitled the said grade pay i.e. Rs.4600/- from the year 2014 with all arrears and interest.
- b) An order directing the respondents to consider the representation dated 18.12.2019 (Annexure-A-6) within specific period in accordance with law.
- c) Any other or further order or orders, direction or directions as to Your Lordships may deem fit and proper.

2. Heard both learned counsel, examined documents on record.

This matter is taken up for disposal at the admission stage.

3. The applicant would submit through his Ld. counsel that he had joined the Railway service in the post of Train Commercial Clerk (TCC) on 18.11.1983, and, thereafter, had applied for the post of Ticket Collector in response to a Circular of 1989.

The applicant was selected for the post of Ticket Collector (TC) and appointed on 06.03.1990. The applicant was further promoted

hsh

to the post of Train Ticket Examiner (TTE) and thereafter to the post of Head Ticket Collector (HTC) in 2014. Finally the applicant was promoted to the post of Chief Ticket Collector (CTC) in the year 2018 and he superannuated from his service on 31.01.2019.

The applicant is aggrieved that, despite continuous service of 14 years in the post of HTC, and, having been awarded with satisfactory ACRs, the applicant did not obtain any enhancement in his grade pay nor any MACP benefit, which however were granted to one Shri Susanta Kr. Biswas, admittedly junior to him in accordance with the provisional seniority list dated 17.12.2015. The applicant represented on 6.3.2019 and on 18.12.2019, but, not having received any response to his pending representations, has approached this Tribunal seeking the abovenoted relief.

Ld. counsel for the applicant would urge that the respondent authorities be directed to dispose of the pending representations in a time bound manner.

5. Ld. counsel for the respondents would not object to disposal of such representations in accordance with law, and, accordingly, without entering into the merits of the matter, and, with consent of the parties, we hereby direct the concerned respondent authority to dispose of the representation dated 18.12.2019 at Annexure A-6 to the O.A., and, in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

The concerned respondent authority shall communicate his decision in the form of a speaking and reasoned order to the applicant thereafter, and, in the event the applicant's claim is found to be justified,



the authority should ensure that the resultant benefits are disbursed to the applicant within a further period of 10 weeks of the said order.

5. With these directions, O.A stands disposed of. No order as to costs.

(DR NANDITA CHATTERJEE)
MEMBER (A)

(BIDISHA BANERJEE)
MEMBER (J)

pg