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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

O.A. No.350/00763/2020.

Date of order : This the 12th Day of October, 2020.

Hon'ble Mrs. Bidisha Banerjee, Judicial Member

Hon'ble Mr Tarun Shridhar, Administrative Member

Arunava Mitra,

S/o Late Tushar Kanti Mitra, working as Loco Pilot Goods, under Senior Section Engineer Loco Alipurduar Junction and residing at South Bankim Pally Madhamgram, Dist. 24 Pgs (N), Pin - 700129.

.....Applicant

By Advocate Mr N. Roy.

Versus

1. Union of India, through the General Manager, North Eastern Railway Maligaon Guwahati, Assam - 781011.
2. Chief Personal Officer, N.F. Railway Maligaon Guwahati Assam - 781011.
3. Divisional Personal Officer, N. F. Railway, Katihar Bihar, 813221.
4. Senior Divisional Personal Officer, N.F. Railway Alipurduar Junction, 736123.

.....Respondents

By Advocate Ms S. Choudhury.

Ms Bidisha Banerjee, Member(J)

The applicant has preferred this O.A to seek the following reliefs :

- "a) To issue direction upon the respondent authorities, representations dated 3.7.19 and 24.09.19 and promotional benefit to the applicants forthwith.
- b) To issue further direction upon the respondent authorities to consider the promotional benefit according to seniority where the private respondent, namely Sri Amitava Pal, junior is considered seniority along-with promotional benefit. Applicants are senior to Sri



Amitava Pal and promotion may be considered as on 01.04.2015 forthwith.

c) Any other order or further order or orders as your Learned Tribunal deem fit and proper under the circumstances of the case.

d) To produce Connected Departmental Record at the time of Hearing"



2. According to the applicant a provisional part panel for the post of Assistant Loco Pilot, Category No.18 of Employment Notice No.2/2017 was published on 28.01.2008 wherein the name of the applicant appeared at Sl. No.14 and the name of his junior Shri Amitava Pal figured at Sl.No.43. On the basis of that part panel a provisional seniority list as on 01.04.2015 was published where the name of Shri Amitava Pal, who was much junior to applicant Shri Arunava Mitra figured at Sl.No.2, whereas the applicant figured at Sl.No.30. According to the applicant appointment letter was issued after a lapse of 5 months from the date of issuance of G.M's letter dated 19.06.2008. He submitted representations on 03.04.2019 and 24.09.2019 against the illegal and arbitrary assignment of seniority to Sri Amitava Pal over and above him, with a prayer to re-assign correct seniority in the grade of Senior Assistant Loco Pilot as on 01.04.2015. As it failed to elicit a response he has approached this Tribunal seeking the aforesaid reliefs.

3. We heard Ld. counsel for both sides and examined documents on record. This O.A was taken up for disposal at the admission stage itself.

4. As it seemed that the representation of the applicant is still pending and no final order is under challenge, without entering into the merits of the matter, we hereby direct the concerned respondent authorities to dispose of the representations dated 03.04.2019 and 24.09.2019 at Annexure A-3 and A-4 respectively, in accordance with law within a period of two months from the date of receipt of a copy of this order. The respondent authority shall

communicate his decision in the form of a speaking and reasoned order to the applicant thereafter.

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



(TARUN SHRIDHAR)
MEMBER (A)

(BIDISHA BANERJEE)
MEMBER (J)

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