

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

LIBRARY

O.A/350/934/2020

Date of Order: 19.10.2020

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

Bankim Ghosh, son of Kanak Kumar Ghosh, aged about 33 years, by occupation – unemployed, Roll No. 131120987, residing at Dalimoula, Dalimoula, Dalai Molla Nadia, West Bengal – 741140.

--Applicant

Versus

1. Union of India, service through the General Manager, Eastern Railway, Fairlie Place, 10. N. S. Road, Kolkata -700001.
2. The Chairman, Railway Recruitment Cell, Eastern Railway 56, C.R. Avenue, RITES Building, 1st Floor, Kolkata - 700012.
3. Deputy Chief Personnel Officer (Rectt.), Railway Recruitment Cell, Eastern Railway 56, C.R. Avenue, RITES Building, 1st Floor, Kolkata - 700012.
4. The Senior Personnel Officer (Rectt.) Railway Recruitment Cell, Eastern Railway 56, C.R. Avenue, RITES Building, 1st Floor, Kolkata - 700012.

--Respondents.

For The Applicant(s): Mr. B. Chatterjee, counsel

For The Respondent(s): Mr. A. Ganguly, counsel

O R D E R (O R A L)

Per: Ms. Bidisha Banerjee, Member (J):

Heard.

2. The applicant is aggrieved with the fact that despite being similarly circumstanced with the applicants in WPCT 49/2017, his case has not been considered by the respondent authorities and has preferred this O.A to seek the following reliefs:

"a) An order directing the respondent authorities to consider the candidature of the applicant in the light of the Judgement and Order dated 24th April, 2020 at Annexure A3 to the original application and further directing them to keep one post vacant till consideration of the candidature of the applicant in the manner prayed for above.

b) An order directing the respondent authorities to grant all consequential benefits to the applicant.

c) An order directing the respondents to produce/cause production of all relevant records.

d) Any other or further order/orders as to this Hon'ble Tribunal may seem fit and proper."

3. At hearing, ld. counsel for the applicant would submit that he would be satisfied if a direction is issued to the competent authority to consider his case in the light of the decision rendered by the Hon'ble High Court's in WPCT 49/2017 dated 24th April, 2020, annexed at Annexure A-3 to the O.A, within a time bound manner.

4. Accordingly, without entering into the merits of the matter, we dispose of the OA with a direction upon the competent respondent authority to examine and consider the case of the applicant in the light of the decision rendered in WPCT 49/2017 supra and issue a reasoned and speaking order in accordance with law within a period of 2 months from the date of receipt of copy of this order. In the event the applicant is found entitled to the relief as prayed for, an appropriate order in accordance with law be issued within the said period.

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

6. The present O.A accordingly stands disposed of. No costs.

(Tarun Shridhar)
Member (A)

(Bidisha Banerjee)
Member (J)

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