

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 040/00069/2021

Date of Order: This, the 17th Day of March, 2021

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

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

Sri Anil Kumar Das, Age 54 years
 Son of Late Parasu Ram Das
 Resident of Azara Deuripara
 Post Office and Police Station – Azara
 Guwahati – 781017
 District – Kamrup (M), Assam.

... Applicant



- Versus -

1. The Union of India
 Represented by the Divisional Manager
 (Personnel) (DRM) (P)
 Engineering Bill Section
 N.F. Railway, Rangia
 District – Kamrup (M), Assam.
2. The Secretary/Chief Manager
 Assam Railway Employees
 Consumer Association (AREC) Ltd.
 Maligaon, Guwahati – 781012
 District – Kamrup (M), Assam.
3. The Manager
 Eastern and North Eastern Frontier
 Railway Cooperative Bank Ltd,
 Maligaon, Guwahati – 781012
 District – Kamrup (M), Assam.

4. The Manager
 Eastern and North East Frontier
 Railway Co-operative Ltd
 34 A and B, Sashi Bhushan Dey Street
 Kolkata – 700012, West Bengal.
5. The Chief Executive Officer
 Eastern and North East Frontier
 Railway Co-operative Ltd
 34 A and B, Sashi Bhushan Dey Street
 Kolkata – 700012, West Bengal.



...Respondents.

For the Applicant : Sri I Hassan

For the Respondents : Ms. U. Das, Rly. Advocate

O R D E R (ORAL)

MANJULA DAS, MEMBER (J):-

This O.A. has been preferred by the applicant under Section 19 of the Administrative Tribunals Act, 1985 asking the following reliefs:-

“8.(i) The respondent No. 2 may please be directed to refund the amount of Rs. 2,09,975/- with 12% interest per annum to the applicant in the saving account operated at State Bank of India CGON Branch, Gumi Branch or be issued

cheque/banker cheque in the name of the applicant.

- 8.2 The respondent No. 2 may please be directed to deposit the amount of Rs. 2,09,975/- with 12% interest per annum from the date of deposit to till its payment to the applicant with 12% interest per annum.
- 8.3 To pass any such further order or orders as the applicant is entitled to under the law and equity."



2. Heard Sri I. Hassan, learned counsel for the applicant and Ms. U. Das, learned railway counsel for the respondents.

4. Brief facts of the present case are that – the applicant is presently working as Welder-II under SSE/P-Way/Chaigaon which falls within the jurisdiction of DRM/P/Rangia, N.F. Railway. His account is maintained and paid his salary by the DRM (P), Rangia. He applied for loan before the Chief Executive Officer, Eastern and North East Frontier Railway Co-operative Bank Ltd., Kolkata through DRM (P), Rangia and he was sanctioned with loan amount of Rs. 2,43,900/- and accordingly, disbursed to him on 19.10.2016 and monthly

loan recovery is Rs. 5,675/- in 60 instalments. Vide communication dated 19.12.2019, E&NF Rly. Co-operative Bank Ltd., Kolkata, it was intimated to the N.F. Railway Authority, Rangia that the applicant is defaulter in repayment of loan EMI which was disbursed to him on 19.10.2016 and highlighted the outstanding amount as Rs. 3,10,294 and accordingly, they requested the N.F. Railway Authority, Rangia for deduction of Rs. 15,461/- as EMI till December 2021. The applicant also undertook to make repayment the entire outstanding loan amount.



He however, submitted a representation before the respondent authority on 12.02.2020 before the respondent authority in respect of CCS loan recovery from his salary and deposited wrongfully before the respondent No. 2 instead of E&NF Rly. Co-operative Bank Ltd, Kolkata. Accordingly, he requested the respondent authority particularly to his employer for recovery of the deducted amount of Rs. 209975/- with interest of 12% annum from the date of deduction till refund from the respondent No. 2 and credit the said

amount in his saving bank account No. 2006115458 being operated at State Bank of India CGON Branch, Gumi Branch, Kamrup, Assam with immediate effect. The respondent authority however, has not paid any attention on his representation dated 12.02.2020 and the same is pending till date.

5. We have gone through the factual details of the case of the applicant and considered the issue. It is seen that the dispute of the present case is between the applicant and Co-operative Bank Ltd. under the railway authorities, which does not fall under the jurisdiction of Central Administrative Tribunal. The Central Administrative Tribunal has been established to provide inexpensive and speedy relief to Central Government employees in respect of their grievances related to service matters. Since this matter relates to repayment of loan with Private Bank i.e. E&NF Rly. Co-operative Bank Ltd., Kolkata, in view of that, we found that the present O.A. is not maintainable and liable to be dismissed.



6. Accordingly, O.A. stands dismissed at the admission stage. No order as to costs.

(NEKKHOMANG NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

PB

