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CENTRAL ADMINISTRATIVE TRIBUNAL KOLKATA BENCH, KOLKATA

Date of Order: 16.03.2021

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member



1. M.A./350/105/2019 BIJAN KUMAR PAL
(O.A./350/465/2017)
2. M.A./350/106/2019 CHURAMONI MONDAL
(O.A./350/955/2017)
3. M.A./350/107/2019 BIMAN SAHA
(O.A./350/956/2017)
4. M.A./350/108/2019 BAPAN BISWAS
(O.A./350/987/2017)
5. M.A./350/109/2019 BIKASH BISWAS
(O.A./350/957/2017)
6. M.A./350/110/2019 BIPLAB PAUL
(O.A./350/1021/2017)
7. M.A./350/111/2019 ANAL KUMAR MAHATO
(O.A./350/1019/2017)
8. M.A./350/112/2019 BIBEKANANDA BISWAS
(O.A./350/958/2017)
9. M.A./350/113/2019 GOBINDA BISWAS
(O.A./350/959/2017)
10. M.A./350/114/2019 DEBASHISH BISWAS
(O.A./350/948/2017)
11. M.A./350/115/2019 JAGADISH GHOSH
(O.A./350/947/2017)
12. M.A./350/116/2019 ASHOK KUMAR
(O.A./350/950/2017)
13. M.A./350/117/2019 SUMAN SARKAR
(O.A./350/946/2017)
14. M.A./350/118/2019 MOBASSAR HOSSAIN KHAN
(O.A./350/1001/2017)
15. M.A./350/119/2019 AMARJEET KUMAR SHAW
(O.A./350/954/2017)

--Applicants

--VS--

RRC (EASTERN RAILWAY)

--Respondents

For The Applicant(s): Mr. A. Chakraborty, counsel
 Ms. P. Mondal, counsel
 For The Respondent(s): Mr. R. N. BAG, counsel
 Mr. A. K. Guha, counsel

O R D E R (O R A L)

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

Heard ld. counsel for both sides at length.

2. Compliance report filed by the respondents is taken on record.
3. Alongwith a communication dated 10.10.2018, as communicated to the erstwhile counsel Mr. S. Banerjee, a list of 41 PWD (OH) candidates have been furnished. We note that, the applicants in the above matters namely Debasish Biswas, Biplab Paul, Churamoni Mondal, Bapan Biswas, Jagdish Ghosh, Anal Kumar Mahato, Bijan Kumar Pal, Bibekananda Biswas, Amarjeet Kr. Shaw, Biman Saha, duly figures in the said list of 41 OH Candidates of EN No. 0112. It is evident that some of the applicants come within the zone of consideration.
4. Ld. counsel for the respondents upon instructions submits that the vacancies have not been filled up till date and therefore 17 candidates from merit list including the present applicants can be accommodated against the said vacancies.
5. Ld. counsel for the respondents would further submit that due to the pendency of the matter before this Tribunal, they could not go ahead with filling up of 17 vacancies that finds mention in the said communication dated 10.10.2018.



6. Ld. counsel for the respondents would also submit that although 17 applicants are in the zone but actually there is a list of 41 OH who await appointment.

7. Accordingly, with the consent of both parties, we dispose of the above Miscellaneous Applications by directing the authorities to fill up the 17 vacancies, strictly in terms of merit as in the list annexed to the communication dated 10.10.2018, i.e to offer appointment to the first 17 candidates and if any of the first 17 candidates refuse or does not turn up, the respondents will proceed beyond 17 i.e the 18th candidate will be allowed to be pushed up and so on till the 17 vacancies are exhausted.



8. For the purpose, respondents shall consider both the applicants in the present case as well as the non applicants who figure in the list of 41 PWD (OH).

9. The exercise shall be carried out within a period of 04 months and appointment order shall be issued within the said period.

10. With this order, issued with the consent of parties, all the M.As stand disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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