

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



No. O.A. 350/27/2021

Date of order: 23.02.2021

Present : Hon'ble Mrs. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

HEMANT KUMAR GIRI
VS.
S. E. RAILWAY

For the Applicant : Mr. C. Sinha, Counsel

For the Respondents : Mr. D. Chowdhury, counsel

ORDER(Oral)

Per Bidisha Banerjee, Judicial Member

Heard both.

2. This OA has been filed by the applicant to seek the following reliefs:

"8(a) To set aside and quash impugned letter no. SDEE/G/CONF/APAR/HKG dated 27.10.2020 issued by Sr. DEE (G), South Eastern Railway, Kharagpur.

(b) To direct the respondents to reconsider the representation dated 16.10.2020 submitted by the applicant in its true perspective and upgrade the grading in the ACR of 2004-05, 2005-06 and 2006-07 forthwith.

(c) To direct the respondents to act in accordance with the directions as contained in Order dated 05.09.2019 passed in Original Application No. 872 of 2014 if the ACRs are so upgraded.

(d) Any other order or orders as the Hon'ble Tribunal deems fit and proper."

3. Both the counsels agreed that no speaking order has been issued along with the order dated 27.10.2020 and the order is a cryptic and non-speaking order.



4. Since reason is the heart beat of every conclusion, order dated 27.10.2020 is quashed and set aside and the matter is remanded back to the Respondents Authority for considering afresh on the representation dated 16.10.2020 taking into consideration the points raised therein and to pass a reasoned and speaking order within a period of 4 weeks from the date of receipt of copy of this order.
5. It is made clear that we have not entered into the merits of this matter and therefore, all points are kept open for consideration by the respondent authorities.
6. Thus, the OA would stand disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

pd

