

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH  
KOLKATA

LIBRARY

OA. 350/641/2021

Date of order: 24.08.2021

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

Provhas Saha, son of late Mahadeb Chandra Saha, aged about 58 years (date of birth 22.03.1963), working as Sr. Motorman at Metro Railway, Kolkata, Metro Rail Bhawan, 33/1, J.L. Nehru Road, Kolkata- 700 071, present pay Rs. 88,700/- and permanently residing at B57, Satindra Pally, P.S. Banshroni, P.O. Garia, Kolkata- 700 084.

.....Applicant.

-versus-

1. Union of India through the General Manager, Metro Railway, Kolkata, Metro Rail Bhawan, 33/1, J.L. Nehru Road, Kolkata- 700 071.
2. Principal Chief Personnel Officer/Chief Personnel Officer/Dy. Chief Personnel Officer, Metro Railway, Kolkata, Metro Rail Bhawan, 33/1, J.L. Nehru Road, Kolkata- 700 071.
3. Sr. Personnel Officer, Metro Railway, Kolkata, Metro Rail Bhawan, 33/1, J.L Nehru Road, Kolkata- 700 071.
4. Sr. Divisional Personnel Officer, South East Central Railway (formerly S.E. Railway), Bilaspore Division, Dist- Bilaspur, Chhattisgarh, Pin- 495 004.

.....Respondents.

For the Applicant : Mr. B.R. Das, Counsel  
For the Respondents : Ms. G. Roy, Counsel  
Ms. D. Nag, Counsel



ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard Id. Counsel for both sides.

2. This application has been filed to seek the following reliefs:

"8(i) Rescind/recall/withdraw the order being Annexure A1/1 denying consideration of lawful representations being Annexure A-3 and such other representations addressed to the Metro Railway Authorities being Respondents 1to 3.  
 (ii) Rescind, recall, withdraw and/or amend the order being Annexure A1/2, in so far as it concerns the petitioner, so as to allow the petitioner the pay vis-à-vis his junior in parent Railway vide Annexure A-9 so as to fix/refix the pay of the petitioner in grade of pay Rs. 6,000 to 9,800/- as on 0712.2005 at par with a Loco Pilot (Mail Express) in parent Railway, the pay being fixed at Rs. 7,330/- as on date and allow consequential benefits thereof.  
 (iii) Draw all the arrears on account of (ii) above and direct payment of the same forthwith.  
 (iv) Certify and transmit the entire records and papers pertaining to the applicant's case so that after the causes shown thereof *consonable justice may be done unto the applicant* by way of grant of reliefs as prayed for in (i) to (iii) above.  
 (v) Any further order/orders and/or direction or directions as to your Lordships may seem fit and proper.  
 (v) Costs."

3. At hearing, it transpires that the authorities has rejected the prayer of the applicant vide order dated 25.02.2021 as contained in Annexure A-1 to the OA without assigning any reason whereas a reason is the heartbeat of every conclusion. Therefore, we quash the order dated 25.02.2021 being bad in law and we remand back the matter to the said authority to pass a reasoned and speaking order deliberating on the grievance put forth by the applicant before the said authority and to consider and dispose the same in accordance with law, within a period of 3 months from the date of receipt of a copy of this order.

4. It is made clear that we have not entered into the merits of this matter.



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5. Thus, the OA would stand disposed of. No costs.

(Nandita Chatterjee)  
Member (A)

(Bidisha Banerjee)  
Member (J)

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