

LIBRARY

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

O.A/350/667/2020
MA/350/644/2020

Date of Order: 14.12.2020

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member

SURAJIT SAHA
-VS-
S.E. RAILWAY

For The Applicant(s): Ms P. Roy Mishra, counsel

Mr. A. Biswas, counsel

For The Respondent(s): Mr. K. Sarkar, counsel



ORDER (ORAL)

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

Heard ld. counsel for both parties.

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

"8.a) A direction upon the respondents to produce all the relevant record of this case before this Hon'ble Tribunal and on perusal of the same, set-aside and / or quash the letter dated 25th February, 2020 issued by the Station Manager, Mohishila, South Eastern Railway to the SS/ DRGU, Adra, South Eastern Railway (Annexure - "A-21") arising out of Office Order vide No. SER/P-ADA/ET/235/14/250/18 dated 12th July, 2018 issued by the Senior Divisional Personnel Officer, Adra Division, South Eastern Railway (Annexure - "A-20");

b) A direction upon the respondents to allow the applicant's prayer for House Rent Allowance since July, 2018 immediately without any further delay;

c) A direction upon the respondents to consider the applicant's representations for inter-railway transfer from South Eastern Railway to Metro Railway, Kolkata favourably without any further delay;

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

3. At hearing, ld. counsel for the respondents would submit that the applicant has refused to go to the place of transfer and, therefore, his salary from March 2020 has not been released by the authorities.

4. Ld. counsel for the applicant would submit that the applicant is willing to join the place of transfer within 10 days.

5. Ld. counsel submits that earlier the applicant had prayed for inter-railway transfer and could not be accommodated on the ground that he had not completed 5 years of service and the same was barred in terms of the Railway Board's directives. Now since the applicant has served for 5 years of service, his earlier prayer as well as prayer dated 08.07.2020 for inter-railway transfer be considered at the earliest.



6. In view of the fact that he is willing to go, in my consider view, no purpose would be served by keeping the matter pending. Therefore, the O.A. is disposed of with a direction upon the authorities to allow the applicant to join at the place of transfer, in the event, he presents himself for joining, within 10 days from the date of receipt of a copy of this order. His prayer for inter-railway transfer be considered at the earliest after he joins the place of transfer and be disposed of within 2 months from the date of his joining. It is further directed that the period the applicant was on leave, be regularise in accordance with law.

7. The O.A stands disposed of with the consent of the parties. No costs. M.A also stands disposed of.

8. Ld. counsel for the respondents submits that reply is ready and would be filed in course of the day. The same may be kept on record, if filed.

(Bidisha Banerjee)
Member (J)