

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA
(Through video conferencing)

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OA. 350/879/2021
MA. 350/306/2021
MA. 350/305/2021

Date of order: 08.07.2021

Present :Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Mr. Tarun Shridhar, Administrative Member

1. P. Anusurya, W/o- Lt. Pedagamsetty Rama Rao, aged about 51 years, residing at W/No. 12, H/No- 205, Diwan Maro, P.O.- Nimpura, Dist- Paschim Medinipore, Pin- 721304.
2. P. Narajee Rao, S/o- Lt. Pedagamsetty Rama Rao, aged about 28 years, residing at W/No 12, H//No- 205, Diwan Maro, P.O- Nimpura, Dist- Paschim Medinipore, Pin- 721304.

.....Applicants.

-versus-

1. The Union of India, through the General Manager, South Eastern Railway, Garden Reach Road, Kolkata- 700043.
2. Divisional Railway Manager, South Eastern Railway, Kharagpur- 721301.
3. Senior Divisional Personnel Officer, South Eastern Railway, Kharagpur- 721301.

.....Respondents.

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Ms. S. Chowdhury, Standing Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard both.

2. MA. 306/2021 has been filed by the applicants for joint prosecution. After hearing the ld. Counsel for both sides the MA is allowed and the applicants are allowed to jointly prosecute this OA.

Another OA bearing No. 305/2021 has been filed by the applicants for condonation of delay. Since sufficient reasons have been adduced by the applicants in regard to condonation of delay in filing the OA, the delay is condoned and the MA is allowed.

3. This OA has been filed to seek the following reliefs:



"(i) The Office order dated 14.09.16 issued by respondent No. 3 cannot be sustained in the eye of law and the same may be quashed.

(ii) An order do issue directing the respondents to consider the case the applicant No. 2 in the light of Judgment passed by the Hon'ble High Court in the case of Sushila Bauri vs. Union of India and Ors and to grant an appointment in his favour on compassionate ground."

4. Since the applicants have preferred a representation on 30.03.2021 seeking the same benefits as in the OA to the Respondent No. 3 which is yet to be disposed of, and as no fruitful purpose would be served by calling for a reply in this matter, unless the representation dated 30.03.2021 is decided by the competent authority, we dispose of the OA with a direction upon the concerned Respondent no. 3 or any other competent authority to consider the representation, decide the claim of the applicants and issue a reasoned and speaking order in accordance with law within a period of 3

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months from the date of receipt of copy of this order. In the event the applicants are found entitled to the relief as prayed for, an appropriate order in accordance with law be issued within the said period.

5. It is made clear that we have not entered into the merit of this matter and therefore, all points are kept open for consideration

6. OA is accordingly disposed of. No costs.

Consequently, MAs also stand disposed of.

(Tarun Shridhar)
Member (A)

encl
(Bidisha Banerjee)
Member (J)

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