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**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

No. O.A. 350/905/2020 Date of order: 23.12.2020

Present: **HON'BLE SMT. MANJULA DAS, MEMBER (J)**

Harendra Gowala, S/o Late R. Gowala
Aged about 40 years
Ex-licensed porter at HWH
At present, residing at 26/14-H
New 97 Patuapara, Sainendra Road
Liluah, Howrah - 711101.



...Applicant

-Versus-

1. Union of India
Through the General Manager
Eastern Railway, Fairlie Place
Kolkata - 700001.
2. The Divisional Railway Manager
Eastern Railway, Howrah, Pin - 711101.
3. The Sr. Divisional Railway Manager
Eastern Railway, Howrah, Pin - 711101.
4. The Sr. Divisional Commercial Manager
Eastern Railway, Howrah, Pin - 711101.

...Respondents

For the Applicant : Sri A. Chakraborty & P. Mandal

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ORDER (ORAL)MANJULA DAS MEMBER (A):-

Being aggrieved with the action of the respondent authorities for not allowing him to join in the post of Trackman or in any other suitable post in terms of offer of appointment granted to him following Railway Board Circular being RBE No. 50/2008, the applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 with the following reliefs:-



- a) To grant and thereby allow the applicant to join in the post of Trackman or any other suitable post under the authority of Eastern Railway in terms of the offer of appointment granted to the petitioner following Railway Board Circular being RBE No. 50/2008.
- b) To grant all the consequential benefits including arrears and interest accrued thereon with effect from the date of his entitlement.
- c) To grant Costs and incidents.

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

2. Sri A. Chakraborty, learned counsel for the applicant is present in the court.

3. This matter relates to request for allowing the applicant to join in the post of Trackman in terms of appointment granted to him under the authority of Eastern Railway following Railway Board Circular being RBE No. 50/2008. On query as to whether the applicant did make any representation before the appropriate authority before approaching this Tribunal, Sri A. Chakraborty, learned counsel appearing for the applicant fairly submitted that applicant did make his representation on 31.07.2020 before the Sr. Divisional Personnel Officer, Eastern Railway, Howrah, respondent No. 3 by ventilating his grievances which has not yet been attended to by the respondent No. 3. According to the learned



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counsel; applicant is waiting for decision from the appropriate authority about for compelling circumstances, as the applicant is not allowed to join in the post of Trackman, he approached this Tribunal for redressal.

4. Keeping in view of the above, I deem it fit and proper to direct the Sr. Divisional Personnel Officer, Eastern Railway, Howrah, respondent No. 3 to deal with the matter as soon as possible so as to enable the applicant to let him know the position of the case. Accordingly, without going into the merit of the case and without expressing any opinion, I direct the respondent No. 3 to consider the case/grievance of the applicant made in his representation dated 31.07.2020 which is pending with him and dispose of it by passing a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order.



5. It is made clear that whatever decision so arrived by the respondent No. 3 shall be communicated to the applicant forthwith.

6. I hope and trust that the respondent No. 3 shall consider the case of the applicant expeditiously by considering his grievances.

7. With the above directions, O.A. stands disposed of.

8. There shall be no order as to costs.



(M)
II
(MANJULADAS)
MEMBER (J)

PB