

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH  
KOLKATA

**LIBRARY**

OA. 350/96/2021

Date of Order: 25.03.2021

Present : **Hon'ble Ms. Bidisha Banerjee, Judicial Member**

***Open Mallick & 12 Others.***  
***Vs.***  
***Eastern Railway***

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. B. P. Manna, Counsel

**O R D E R ( Oral )**

Per Ms. Bidisha Banerjee, JM:

This matter is taken up Single Bench in terms of Rule 154 Appendix VIII of Central Administrative Tribunal of Rule of Practice, 1993, as no complicated question of law is involved and with the consent of both the parties.



2. Heard Id. Counsel for both sides.
3. MA. 35/2021 filed by the applicants for under Rule 4(5)(a) of the CAT (Procedure) Rules, 1987, for joint prosecution is allowed. The applicants are allowed to pursue the remedy jointly.
4. This OA has been filed to seek the following reliefs:

*"8(a) An order do issue directing the respondents to grant Grade Pay of Rs. 1900/- in the post of valvemen in favour of the applicants since 3<sup>rd</sup> Pay Commission recognized special skill required in the water supply and fixed higher pay scale for valvemen.*

*(b) An order do issue directing the respondents to grant arrears.*

*(c) Leave may be granted to add the other applicants in the OA under Rule 4(5)(a) of the CAT Procedure Rule, 1987."*

5. At hearing, ld. Counsel for respondents raises preliminary objection about the maintainability of the OA on the ground that only the first applicant has preferred representation and that the applicants in order to claim the benefits as sought for should have been matriculates and ITI qualified, which is disputed by the ld. Counsel for applicant who says that since they are already in service in the post of Valvemen in the Railways, they are entitled for the next Grade Pay of Rs. 1900/- on the basis of the decision of Allahabad Bench of this Tribunal in OA. 982/2005.

6. There exists a factual dispute and all the applicants had not preferred individual application.

7. Therefore, ld. Counsel for applicant sought for liberty to withdraw the OA to prefer comprehensive representation or individual applications to the competent respondent authority and a direction upon the respondents to consider and dispose of the same in the light of the OA. 182 of 2005 in a time bound manner.



8. Ld. counsel for the respondents does not have any objection if such liberty is granted.

9. Accordingly, the O.A is disposed of with liberty to the applicants to prefer comprehensive individual representations to the competent respondent authority, seeking redressal of their grievance, within a period of 4 weeks from the date of receipt of a copy of this order. In the event such representations are preferred, the competent respondent authority shall decide the eligibility of the applicants for next Grade Pay of Rs. 1900/- in the

light of the decision in OA. 182/2005 and consider the same in accordance with law and issue appropriate, reasoned and speaking orders within a period of 3 months from the date of such representation.

10. In the event the applicants are found entitled to the benefits, as sought for, it shall be accorded to them, within the said period.

11. It is made clear that I have not entered into the merit of the matter and therefore all the points to be raised in the representation shall be open for consideration.

12. The present O.A accordingly stands disposed of. No costs.

Consequently, MA also stands disposed of.



*(Bidisha Banerjee)*  
Member (J)

pd

