



FORM No. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

ORDER SHEET

Original Application No. 637 of 2003

Applicant(s) Hemanta K. Chatterjee Respondent(s) Union of India & Ors.

Advocate for Applicant(s) M/s S. K. Dash Advocate for Respondent(s)

S. K. Misra, S. Mohapatra

S. Dash, Mr. A. Dhal Samantr

NOTES OF THE REGISTRY

9. P. O. for Rs. 50/- filed.
For Registration pl.

30/9/03

S. O. (J)

Dk
30/9/03

dkm

30.09.03

Register

Dk
30/9/2003

For Admision.

9/10/03

Bench.

ORDERS OF THE TRIBUNAL

REGISTER

AI
30/9/2003
REGISTER

1. ORDER DATED 13.10.2003.

Heard Shri S. K. Dash, Learned Counsel for the Applicant and Mr. R. C. Rath, Learned Standing Counsel for the Railways; on whom a copy of this original Application has been served.

Prayer has been made in this original Application filed u/s.19 of the Administrative Tribunals Act, 1985 that the order passed by the Chief Personnel Office dated 4.7.2003 of the South Eastern Rly.

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Dr. dt. 13. x. 03

Copies of order /
copies of same
to all respects, and
Copies of said order
prepared for Council
for 10th sole.

Mr.
21/2

07/10/03
S. (S)

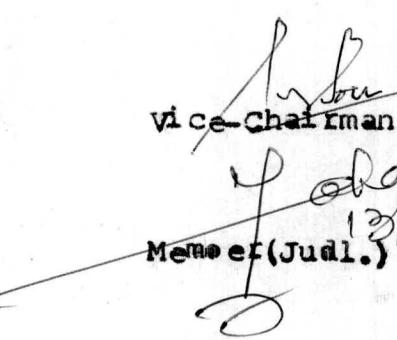
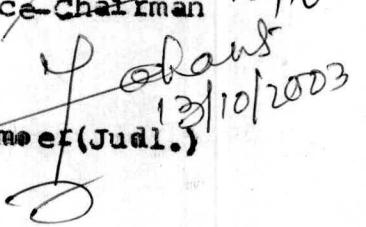
has not fully met the ends of justice as the Applicant has been given only pro forma promotion w.e.f. 1.1.1984. This would mean that the Applicant will not be entitled to arrear salary to the upgraded post equal to the pay drawn by his immediate junior. During the hearing of the matter, it also came to our notice that the order dated 4.7.03 passed by the Chief Personnel Officer of the South Eastern Railway is to be implemented now by the Successor Railway i.e. East Coast Rly., consequent upon the bifurcation of the South Eastern Railway w.e.f. 1.4.03. However, as the grievance of the Applicant was finally disposed of on our direction by the Chief Personnel Officer, South Eastern Railway and his order with regard to granting of financial benefits consequent upon restoration of his seniority, relate to the period of pre-bifurcation of the Railways, the Applicant should file a representation before the said Chief Personnel Officer for reconsideration of the order passed by him on 4.7.2002 at para 2.3 and to issue further such order as may be admissible under rules with regard to grant of benefits of pay fixation at the higher grade consequent upon restoration of his seniority position above Susanta Mukherjee, R.K. Banerjee and S.P. Dasgupta. We further direct that the applicant would submit his representation before the Chief Personnel Officer of S.E. Railway within a period of thirty days from the date of receipt of this

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order and upon receipt of such a representation the said functionary i.e. Chief Personnel Officer of the South Eastern Railway, should dispose of the same within a period of sixty days of its receipt.

With the above directions, this OA is disposed of at the admission stage. No costs.

Send copies of this order alongwith copies of the A. to the Respondents and free copies of this order be given to learned counsel for both sides.


Vice-Chairman 13/10

Member (Judl.) 13/10/2003