



FORM No. 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCH

ORDER SHEET

Application No. OA 510 of 2005 8 526 to 529
of 2005

Applicant (s) Tushar Ranjan Dasgupta Respondent (s) Union of India

Advocate for Applicant (s) M/s P. K. Mahapatra Advocate for Respondent (s) S. Nath
K. Ghosh

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
<p>J.P.O. of Rs 2537/- filed.</p> <p>For Registration Court Memo</p> <p>13/6/05</p> <p>13.06.05</p> <p>50(5)</p> <p>For Admission & Interim order with M.A. 306/2005 for J.P. Applications - Copy served</p> <p>13/6/05</p>	<p>REGISTER</p> <p>13.06.05</p> <p>Order 1 dated 13.06.05</p> <p>05 Applicants have filed M.A No.306/05 seeking permission to prosecute O.A.510/05 jointly.</p> <p>Having heard the Counsel for the Applicant and Mr. R.C. Rath Ld. Sr. Counsel for the Railways. The prayers made in this M.A. No.306/05 is hereby allowed.</p> <p>The 05 applicants have already filed Rs.255/- in safe of IPO. In the said premisses, O.A 510/05 be confined in respect of applicant No.1 and separate O.A numbers be assigned in respect of applicant Nos 2 to 5.</p>

Order No. 2

13/06/05

Heard Mr. P.K. Mohapatra, Ld. Counsel for the applicant and Mr. R.C. Rath, Ld. Standing Counsel for the Railways and perused the materials placed on record.

Applicants are the employees of South Eastern Railways. They exercised their opinion to be absorbed in the East Coast Railways. By filing this O.A. under Section 19 of the Administrative Tribunal's Act 1985, the applicants have made a grievance that some of the Railway employees of the East Coast Railways, like them, exercised their opinion to be absorbed in the East Coast Railways, but, while allowing those Railway servants to be absorbed in the East Coast Railways, the case of the applicants have not yet received due consideration by the authorities/ Respondents in order to absorb them in the East Coast Railways. It is stated that their representations under Annexure A/8 dated 20.03.05 are still pending with the authorities (Respondent No.5). It is the case of the applicants that the Chief Signal Telcom. Engg. of East Coast Railways (under whom the applicants are presently working) has already moved the higher authorities of East Coast Railways and that of the South Eastern Railways to permit the applicant to be absorbed in East Coast Railways and that despite such move, the order has not yet been passed. It is the apprehension of the applicants that while their grievances for being absorbed in the East Coast Railways are still pending, the East Coast Railways are proceeding to

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recruit personnel in Signal-cum-Telcom. Wing and unless their absorption matter in the East Coast Railways is finalised they (Applicants) may have to go below in the seniority list of East Coast Railways in future.

Having heard the Counsels for both the parties, at the admission stage, this O.A., is hereby disposed of with a direction to the Respondents (especially Respondent No.3-5) to look to the grievances of the applicants pertaining to their absorption in East Coast Railways expeditiously. In that event, if final orders is passed allowing the applicants to be absorbed in East Coast Railways, the authorities/Respondents should do well in protecting their seniority visa-vis the new entrants; because all these 05 applicants are now continuing to serve the Railways as Assistant Signal Telcom. Engineers in the territorial jurisdiction of the East Coast Railways.

With the aforesaid observation this O.A. is disposed of.

Send copies of this order to the Respondents, along with copies of this O.A., and free copies of this order be handed over to the Counsel of both the sides.

Member (Judicial)

12/06/05

Copy of order dt. 13/6/05
a/w copy issued to
all the respondents by
post.

The same copy of
order issued to the
counsel for both sides.

12/06/05
S.O.

20/6/05