

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

OA. 901 of 1996.

(U N L I S T E D)

PRESENT: Hon'ble Mr. Justice A.K. Chatterjee, Vice-Chairman.

Hon'ble Mr. M.S. Mukherjee, Administrative Member.

AMITAVA KUMAR & ORS.

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr. Samir Ghosh, counsel.

For the respondents (no. 1-4) Mr. T.N. Bandyopadhyay, counsel, with Ms. U. Sanyal, counsel.

For the respondents (no. 5-9) Mr. S. Choudhury, counsel.

Heard on: 24.7.96.

Ordered on: 24.7.96.

O R D E R

M.S. Mukherjee, A.M.

1. This is filed as an unlisted motion to-day by Mr. Samir Ghosh, 1d. counsel, appearing for the petitioners. Mr. T.N. Bandyopadhyay, 1d. counsel, leading Ms. U. Sanyal, 1d. counsel, appears for the respondents no. 1-4 and Mr. S. Choudhury, 1d. counsel appears for the respondents no. 5-9. 7

2. The petitioners have contested that their lien had been maintained in other zonal railways and prayed for ~~the~~ a direction upon the respondents to cancel the impugned order dt. 26.6.96 by Metro Railway at Annexure-A.3 to the petition. We also find that the applicants have made specific representations before the Chief Manager, Metro Railway on 9.7.96 in the matter vide Annexure A.4 at page-57 to the petition and that this representation is still pending. Mr. T.N. Bandyopadhyay, 1d. counsel, submits that he

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does not admit any allegations at this stage.
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3. On hearing the 1d.counsel for the parties, we dispose of the petition at this stage with the order that the respondent no.3 , the Chief Engineer of Metro Railway, shall suitably decide the representation with a speaking order, and till such disposal the impugned order shall not be given effect to so far as the petitioners are concerned. Be it noted that we have not gone into the merits of the petition. There is no order as to costs.

4. Let a Plain Copy of this Order be given to the 1d.counsel for both the parties.

Mukherjee
24/3/86
(M.S. Mukherjee)
Member(A)

A.K. Chatterjee
(A.K. Chatterjee)
Vice-Chairman.