

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA

O.A. 1163 OF 1996

Date of Order: 10-05-2005

Present : Hon'ble Mr. J.K.Kaushik, Judicial Member  
Hon'ble Mr. A.K.Bhatt, Administrative Member

Shibsankar Bhattacharjee

-VS-

South Eastern Railway

For the Applicant : Mr. S.K. Dutta, Counsel

For the Respondents: Mr. K. Chakraborty, Counsel

ORDER

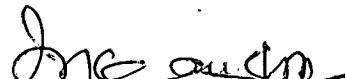
MR. J.K. KAUSHIK, JM

The original application No.1163 of 1996 has been filed for seeking the benefit as admissible under Railway Board Circular dated 1-11-1989 issued by the Divisional Engineer(L), Adra.

2. At the very outset, the Ld. Counsel for the respondents has invited our attention that the said circular has already been struck down and quashed by this Bench of the Tribunal in copious judgement and one of them is annexed as Annexure-R/1 i.e. which came to be passed on 13.8.1993 in O.A.968 of 1990 in Abdul Sattar & Ors. -Vs- Union of India & Ors. Wherein the identical issue was examined and the said circular has been quashed. Now the only submission the Ld. Counsel for the applicant has made is that the other persons who got the benefit are enjoying the said benefit even though the same is not covered by the said circular. To that point out attention has been invited to para 9 of the judgement which has been relied upon wherein it has been stated in the very order that the Railway Authority will review the appointment made on the basis of the impugned circular which has been quashed by them. In this view of the matter, no interference is called for by this Bench of the Tribunal and no relief can be granted to the applicant. In the premises the original application is devoid of merits and the same stands dismissed. No order as to costs.



(A.K.Bhatt)  
Administrative Member



(J.K.Kaushik)  
Judicial Member