

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. 104 of 1996 along with M.A. No. 291 of 1996.

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

Hon'ble Dr. B.C. Sarma, Administrative Member.

SUDHIR CHANDRA DINDA, S/o. late H. Dinda,

Village: Raniara, PO: Panskura, Dist. Midnapore.

....Petitioner

-Versus-

1. Union of India, service through the General Manager, S.E. Rly., Garden Reach, Calcutta-43.
2. The Chief Personnel Officer (Admn), S.E. Rly., Garden Reach, Calcutta-43.
3. The Chief Project Manager, S.E. Rly., Garden Reach, Calcutta-43.
4. The Chief Telecommunication Engineer (Construction), S.E. Rly., Garden Reach, Calcutta-43.
5. The D.S.T.E. (Works-I), S.E. Rly., Kharagpur
6. Sr. Divl. Personnel Officer, S.E. Rly., Kharagpur
7. Sr. D.E.E. (G), S.E. Rly., Kharagpur,
8. The Electrical Foreman (South) (A), S.E. Rly., Kharagpur.
9. Asstt. Personnel Officer (S& T), S.E. Rly., Garden Reach, Calcutta-43.

....Respondents.

For the petitioner: Mr. A. Chakraborty, counsel.

For the respondents: Mr. S. Chowdhury, counsel.

Heard on: 19.8.97.

Ordered on: 19.8.97.

O R D E R

A.K. Chatterjee, V.C.

The petitioner, who is working as a Khalasi Helper

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under Electrical Foreman(South), S.E.Rly., Kharagpur, has brought this application inter-alia for a direction upon the respondents to regularise his service as SS Fitter with effect from 1.4.73 retaining him in the open line and to fix his pay and give arrears with effect from the said date.

Now, it appears from a communication of the Chief Personnel Officer to the DSTE(Construction), S.E.Rly., Kharagpur at Annexure-M to the Misc.Application, filed by the petitioner in connection with this O.A. on 12.9.96 that claim of the present petitioner cannot be considered till disposal of the OA. 714 of 1990. It appears from the said M.A. that the O.A. 714 of 1990 has been disposed of by an order dt.17.7.96. In such circumstances, even <sup>though</sup> ~~if~~ no reply has been filed on behalf of the respondents, on hearing the ld.counsel for the parties and on perusal of the records, we consider that it is a fit case to dispose of the application with a direction upon the respondents to treat this application as a representation for the reliefs claimed ~~for~~ and to pass appropriate order stating the reasons <sup>thereof</sup> ~~of the petition~~.

The O.A. and the MA are accordingly disposed <sup>of</sup> with a direction upon the respondents, in particular, <sup>upon</sup> the respondent no.5 herein to treat the application together with the annexures as a representation for the reliefs claimed therein and to dispose it of by passing a reasoned order within 10 weeks from the date of communication of the order. Order passed on such representation shall also be communicated to the petitioner within 2 weeks thereafter.

No order as to costs.

 