

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

MA 560 of 2000  
(OA 496 of 1997)

Present : Hon'ble Mr. S. Biswas, Administrative Member  
Hon'ble Mr. A. Sathath Khan, Judicial Member

Malay Chakraborty & Ore.

- VS -

Eastern Railway

For the Applicants : Mr. C.R. Bag, Counsel  
Mr. G.N. Bhattacharjee, Counsel

For the Respondents : Mr. M.K. Bandyopadhyay, Counsel

Date of Order : 09-01-2003

ORDER

MR. A. SATHAH KHAN, JM

MA 560 of 2000 has been filed for condonation of delay in filing the O.A.496 of 1997 pursuant to the direction given by the Hon'ble High Court vide its order dated 3-7-2000 in W.P.C. T. 223 of 2000. In support of the application for condonation of delay the Ld. Counsel for the applicants relied upon the decision of the Hon'ble Supreme Court reported in 1998(1) SLJ page 54 to the effect that the question of limitation does not arise in the case of persons who are similarly placed. Under the circumstances, delay in filing the O.A. is condoned and MA is disposed of.

2. With the consent of both the parties, the O.A. is taken up for final disposal to-day. Heard Ld. Counsel for both the parties. In a similar case, the Tribunal has given direction that the claim of the applicants should be examined by the Railway Administration by examining the documents in their possession and if the documents produced

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by the applicants are found genuine, they should be considered according to Rules. Otherwise, they shall not have any cause of action to approach the Tribunal again. We also pass similar order directing the respondents to direct the applicants to produce all the documents in their possession to prove that they had worked in the Railways during the relevant period. If the documents are found genuine the respondents are directed to consider their case for screening according to Rules. And if the documents are found not to be genuine, the respondents shall pass a speaking order rejecting their claim. The above exercise shall be completed by the respondents within a period of four months from the date of receipt of a copy of this order. With the above observation the O.A. is disposed of awarding no costs.

  
Member(J)

  
Member(A)

DKN