

In The Central Administrative Tribunal
Calcutta Bench

MA 469 of 2001
OA 147 of 1997)

Present : Hon'ble Mr. B.P. Singh, Administrative Member
Hon'ble Mr. M.L. Chauhan, Judicial Member

Pravat Kr. Das & Anr.

- VS -

S.E. Railway

For the Applicants : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. T.D. Roy, Counsel

Date of Order : 30-04-2002

O R D E R

MR. M.L. CHAUHAN, JM

Two applicants have filed this application against their non-selection for the post of Deputy Shop Superintendent/Section Engineer in Kharagpur Workshop. Their prayer is that the respondent authorities be directed to consider the applicants' representation for being selected and appointed on the post of Deputy Shop Superintendent/Section Engineer in Kharagpur Workshop in accordance with the Rules.

2. The fact of the case is that the applicants were working as Junior Engineer(I) at the relevant time. Selection for the post of Dy.SS/Section Engineer in Kharagpur Workshop was held on 10-7-96 and the applicants were declared qualified in the selection; but subsequently they were not called for appearing in the Viva-Voce test. The applicants made representations dated 22-1-97 and 24-1-97 pointing out irregularities committed in the selection of Sh. P.K. Mitra who

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was reported badly by the Principal, S.T.C. Kharagpur and the copies of the representations have been annexed as Annexure-C collectively with this O.A.

3. The respondent authorities have contested the case by filing reply to the O.A. Their case in the reply is that the present application is pre-matured. It has further been stated that no written reply in regard to the aforesaid representations could be given; though the same was considered by the competent authority after giving personal hearing to the applicants as the matter was sub-judice.

4. We have heard Ld. Counsel of both the parties. The only prayer of the applicants is that the respondent authorities be directed to consider their representations (Annexure-C) which ultimately have not been decided by the respondent authorities as it is evident from the reply of the respondents. Under this circumstances, we are of the view that ends of justice will be met if a direction be issued to the respondent authorities to consider and decide the representations marked as Annexure-C collectively within a reasonable time by passing a reasoned and speaking order. Accordingly, the present O.A. is allowed and the competent authority is directed to consider and decide the representations of the applicants and pass a reasoned and speaking order after hearing the applicants, if they so desire and dispose of the same within a period of 8(eight) weeks from the date of receipt of this order and communicate the same to the applicants within 10(ten) days thereafter. It is further clarified that we have not entered into the merit of this case as the limited prayer of the applicants was that the authority concerned should be directed to consider their representations in accordance with the Rules.

(M.L. Chakrabarti)
Member (J)

(B.P. Singh)
Member (A)