

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA**



No. O.A. 350/00596/2015

Date of order: 21.5.2018

Present : Hon'ble Ms. Manjula Das, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

1. Suman Mitra,  
Son of Sri Sushil Mitra,  
Aged about 31 years,  
Residing at Vill-Mandabghat,  
P.O. Daharbuincha,  
District – Nadia,  
Pin – 741505.
2. Soumen Biswas,  
Son of Sri Rajeswar Biswas,  
Aged about 38 years,  
Residing at Vill. – Sonatikari,  
P.O. – Chandpara Bazar,  
P.S. – Gaighata,  
District – North 24 Parganas,  
Pin No. – 743 245.

.. Applicant

**- VERSUS -**

1. Union of India,  
Through the General Manager,  
Eastern Railway,  
Fairlie Place,  
Kolkata,  
Pin Code – 700 001.
2. The Chief Works Manager,  
Eastern Railway,  
Kanchrapara,  
North 24 Pgns.,  
Pin Code – 743 145.
3. The Assistant Personnel Officer (ESM),  
Sealdah, Eastern Railway,  
Pin Code . 700 014.

.. Respondents



For the Applicant : Mr. A. Chakraborty, Counsel  
Ms. P. Mondal, Counsel

For the Respondents : Ms. Gopa Roy, Counsel

**O R D E R (Oral)**

**Per Ms. Manjula Das, Judicial Member:**

The matter was initially listed on 1.6.2015. However, the matter was adjourned. Then on 3.6.2015, Ld. Counsel for the applicant prays for annexing copy of the representation to the O.A. However, the same has not been annexed. On 18.6.2015, the matter was again adjourned. On 18.1.2016, the prayer of the applicant was for filing supplementary affidavit to bring on record the representation; 2 weeks' time was granted. However, no reply to the supplementary affidavit had been filed and thereafter the matter was listed on 1.3.2017, 9.5.2017 and 7.9.2017. As there was no Division Bench available on those dates, the matter could not be taken up for hearing. On 12.12.2017, Ld. Counsel for the applicant was allowed 1 weeks' time for filing supplementary affidavit.

2. Till now, no supplementary affidavit has been filed.
3. Today, Ld. Counsel submits that the applicant has not exhausted the alternative remedy and he seeks liberty of this Tribunal to file a representation before the authorities. Ms. Gopa Roy, Ld. Counsel for the official respondents has no objection to it.
4. By accepting the prayer made by the Ld. Counsel and without going into the merits of the case, we direct the applicant to make a representation before the authorities within a period of 15 days from the date of receipt of a copy of this order and the concerned respondent authority is directed to dispose of the said



representation by passing a reasoned and speaking order within a period of three months from the date of receipt of this order.

5. The O.A. is disposed of accordingly. No costs.

(Dr. Nandita Chatterjee)  
Administrative Member



(Manjula Das)  
Judicial Member

SP