

LIBRARY

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

No.O.A. 350/707/2016
M.A.350/130/2017

Date of order : 10-11-2017

Coram : Hon'ble Ms. Manjula Das, Judicial Member
Hon'ble Dr.(Ms) Nandita Chatterjee, Administrative Member

Shri Ashis Saha son of Lakshmi Narayan Saha
aged about 32 years, Unemployed youth residing
at Vill. & P.O. Mirjat Pur P.S. Ratua, Dist. Malda
(West Bengal), Pin-732204, Written Examination
Roll No.3226757

..... Applicant

-Versus-

1. Union of India, service through the General Manager, South Eastern Railway, 11, Garden Reach Road, Kolkata-700 043;
2. The Chairman, (Rectt.) Railway Recruitment Cell, South Eastern Railway, 11, Garden Reach Road, Kolkata-700 043;
3. The Assistant Personnel Officer (Rectt.), South Eastern Railway, 11, Garden Reach Road, Kolkata -700 043

..... Respondents.

For the applicant : Mr. S.K. Datta, counsel
For the respondents : Mr.B.P. Manna, counsel

ORDER (ORAL)

Mrs. Manjula Das, Judicial Member

The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

"8.i) An order holding that the rejection of candidature of the applicant on the ground that the IPO submitted by him but issuing date of IPO has not been mentioned by the applicant in the application form which is bad in law and arbitrary and cannot be sustained;

ii) An order directing the respondents to recall the decision regarding rejection of candidature of the applicant and further directing them to give appointment to the applicant as per his merit position with all consequential benefits within period as to this Hon'ble Tribunal may seem fit and proper;

iii) An order directing the respondent authority to extend the benefit in the light of the Judgment delivered by the Hon'ble Tribunal;

iv) An order directing the respondents to produce entire records of the case at the time of adjudication for consonable justice;

v) Any other order or further order/orders as to this Hon'ble Tribunal may seem fit and proper."

2. We have heard ld. counsel for the parties and perused the pleadings and materials placed on record.

3. Ld. counsel for the applicant submits that the applicant would be satisfied for the present if he is permitted to file a comprehensive representation to the authorities concerned ventilating his grievances in this regard and the respondents are directed to consider and dispose of the same as per rules and regulations governing the field within a stipulated period. Ld. counsel for the respondents has no objection to such prayer.

4. In view of the above, liberty is given to the applicant to file a comprehensive representation to the concerned respondent authority within a period of one month from the date of receipt of this order. If such representation is filed within such time, the competent respondent authority is directed to consider and dispose of the said representation by passing a reasoned and speaking order as per rules within a period of two months from the date of receipt of the same. The decision so arrived at will be communicated to the applicant forthwith.

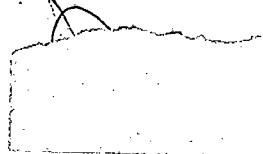


5. It is made clear that we have not gone into the merits of the case and all the points to be raised in the representation are kept open for consideration by the respondent authorities.

6. With the aforesaid observations and directions, the O.A. stands disposed of. Consequently the M.A.No.350/130/2017 which has been filed for preponing the date of hearing of the O.A. stands disposed of. No order as to costs.



(Dr. N. Chatterjee)
Administrative Member



(Manjula Das)
Judicial Member

sb