



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

No. O.A. 350/00766/2018

Date of order : 9.07.2018

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

**Bijaya Sarkar Mondal,
Wife of Kalyan Kumar Sarkar,
Aged about 49 years,
Working as Chief Matron under
Medical Director B.R. Singh Hospital,
Sealdah, Kolkata – 700 014,
Residing at Village – Kalyangram,
Palta, P.O. – Bengal Enamel, Palta,
Dist – 24 PGS (N), P.S. – Noapara,
Pin – 743122.**

---Applicant

-Versus-

1. **Union of India,**
Service through the General Manager,
Eastern Railway,
17, N.S. Road,
Kolkata – 700 001.
2. **The Chief Personnel Officer,**
Eastern Railway,
17, N.S. Road,
Kolkata – 700 001.
3. **The Principal Chief Medical Director,**
Eastern Railway,
17, N.S. Road,
Kolkata – 700 001.
4. **The Divisional Railway Manager,**
Sealdah Division, Eastern Railway,
Sealdah, Kolkata – 700 014.
5. **The Medical Director,**
B.R. Singh Hospital,
Sealdah,

Eastern Railway,
Kolkata – 700 014.

6. The Senior Divisional Personnel Officer,
Sealdah Division, Eastern Railway,
Sealdah, Kolkata – 700 014.

---Respondents

For the Applicant : Mr. K. Sarkar, Counsel

For the Respondents : Ms. S.D. Chandra, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, Judicial Member:

Ld. Counsels for the applicant and respondents are present and are heard.

2. This O.A. has been filed under Section 19 of the Administrative Tribunal Act, 1985 in order to seek the following relief:-

"(i) To direct the respondents to extend the benefit of the O.M. dated 6.12.2017 of Ministry of Health & Family Welfare, Nursing Section, Govt. of India to the applicant by way of implementation of the judgment and order of the Hon'ble High Court of Delhi in WP (C) No. 8058 of 2015 dated 04.11.2016 as contained in Annexure "A-4" herein;

(ii) To direct the respondents to deal with and or dispose of the representation of the applicant in this respect dated 19.4.2018 as contained in Annexure "A-5" herein;

(iii) To direct the respondents to produce the entire records of the case before this Hon'ble Tribunal for proper adjudication of the issues involved herein;

(iv) And to pass such other order or further order or orders as to this Hon'ble Tribunal may deem fit and proper."

3. During hearing both the Counsels agreed at the bar that the matter can be disposed of with a direction upon the competent authority i.e. the Divisional Railway Manager, Eastern Railway, Sealdah, respondent No. 4 to consider and dispose of the representation preferred by the applicant on 19.4.2018 within a fixed time frame.

4. Therefore, without going into the merits of the case, the O.A. is disposed of with a direction upon the respondent No. 4 to consider the representation dated 19.4.2018 in accordance with law and dispose it of with a reasoned and speaking order to be issued within three months from the date of receipt of a copy of this order and communicate the decision so taken within a fortnight thereafter.

5. If the applicant is found entitled to the benefits as prayed for then the same be extended in her favour within a period of three months thereafter.

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


(Nandita Chatterjee)
Administrative Member


(Bidisha Banerjee)
Judicial Member

SP