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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CALCUTTA BENCH, CALCUTTA

M.A.N.O. S 12 of 2017
O.A. No. 872 of 2017

IN THE MATTER OF:

1. **SAMAR CHANDRA DUTTA**, son of Late Sukumar Dutta, aged about 49 years, residing at 676, K.B.M., Post Office- Chakdaha, Police Station- Chakdaha, District- Nadia, Pin- 741222;
2. **SUJIT KUMAR DAS**, son of Shri Sunil Kumar Das, residing at 514, Rabindra Nagar, Post Office and Police Station- Chakdaha, District- Nadia, Pin-741222.
3. **ARUN KUMAR PAUL**, son of Late Thakur Das Paul, residing at Village 2 No. Radha Krishna Colony, Post Office and Police Station- Chakdaha, District- Nadia, Pin-741222.

...Applicants

-Versus-

1. **UNION OF INDIA** service through the Secretary, Ministry of Railway, Government of India, Rail Bhawan, Rafi Marg, New Delhi-110001.

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J. S. Chakraborty
28/7/17

2. THE RAILWAY BOARD, service through
the Chairman, Railway Board, Rail Bhawan,
Rafi Marg, New Delhi-110001.

3. THE CHAIRMAN, Railway Recruitment
Board, Kolkata Metro Railway, AV
Complex, Chitpur, R.G. Kar Road, Kolkata-
700037;

...Respondents.

McCaffrey
27/7/17

No. M.A. 350/00512/2017
O.A. 350/00872/2017

Date of order: 27.7.2017

Present: Hon'ble Mr. S.K. Pattnaik, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

For the Applicants : Mr. P.C. Das, Counsel
Ms. T. Maity, Counsel

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

O R D E R (Oral)

S.K. Pattnaik, Judicial Member:

Heard Ld. Counsel for both sides.

2. All the three applicants have filed this O.A. for a direction to the Railway Recruitment Board, Kolkata to consider the marks obtained by the present applicants in the written examination held in connection with Employment Notice dated 8.2.1997 for filling up the vacancies for the post of Trainee Assistant, Station Master, Commercial Clerk and Enquiry-cum-Reservation Clerk Grade-III and to give appointment in their favour.

3. When the Ld. Counsel for the applicant was confronted with the question of delay, he submitted that some other candidates had approached the Hon'ble High Court of Calcutta in WPCT No. 53 of 2008 which was disposed of on 29.1.2014 wherein there was a direction to the respondents to communicate the result of such interview and if they have obtained the minimum qualifying marks or above in terms of Railway Recruitment Rules may be appointed against the vacancies.

4. The applicants never agitated their case before the Hon'ble High Court. The Ld. Counsel for the Railway Recruitment Board fairly submitted that the vacancy of 1997 and the recruitment process have already been over. Since the claim of the applicants, which they should have agitated one

*M.C. Pattnaik
27.7.2017*

decade back cannot be adjudicated at this distance of time.

5. Hence, the O.A. is dismissed being hopelessly barred by limitation.

(Dr. Nandita Chatterjee)
Administrative Member

(S.K. Patnaik)
Judicial Member

SP