



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A 350/880/2016

Date of Order: 16.07.2018.

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

1. Sushil Kumar Fauzdar, son of Late Subal Chandra Fauzdar, aged about 63 years, retired as Tower Wagon Driver, Grade-1 in the office of the SSE/OHE/TR-D/Sonarpur and residing at Village & P. O. Nayachak, P. S. Panchla, District ; Howrah, PIN-711322.
2. Pradip Ganguly, son of Late Dinesh Chandra Ganguly, aged about 70 years, retired as Tower Wagon Driver, Grade-1 in the office of the SSE/OHE/TR-D/Halisahar and residing at Halisahar Netaji Subhash Sarani, Pipe Line, P.O. Nabanagar, District ; 24 Parganas(North), PIN-743136.
3. Megraj Hela, son of Late Nazir Hela, aged about 51 years, Ex- Tower Wagon Driver, Grade-1 and residing at 247/A, B. R. Singh Hospital Complex, Sealdah, Kolkata-700014
4. Sk. Ahmed Hossain, son of Bilayet Hossain, aged about 61 years, retired as Tower Wagon Driver, (MCM) in the office of the SSE/OHE/TR-D/Sealdah and residing at 29, Miajan Ostager Lane, Kolkata-700017.
5. Anil Prasad Srivastava, son of Late Suraj Deo , aged about 49 years, working as Tower Wagon Driver, Grade -1 in the office of the SSE/OHE/TR-D/Sealdah and residing at 58A, Sukanta Sarani, Kolkata-700085.
6. Barun Kumar Sarkar, son of Late Hrishikesh Sarkar, aged about 62 years, retired as Tower Wagon Driver, Grade-1 in the office of the SSE/OHE/TR-D/Halisahar and residing at Halisahar Rly. Boundary Road, P. O. Nabanagar, District : 24 Parganas (North), PIN-743136.

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7. Milan Mondal, son of Dulal Chandra Mondal, aged about 50 years, working as Tower Wagon Driver, Grade-1, in the office of the SSE/OHE/TR-D/Sealdah and residing at 12, Sashi Sur Lane, Kolkata-700005.
8. Bijon Singh, son of Late Ram Parash Singh, aged about 62 years, retired as Tower Wagon Driver, Grade-1, in the office of the SSE/OHE/TR-D/Sealdah and residing at 7J/1D, Beliaghata Road, Kolkata-700015.
9. Harendra Prosad Roy, son of Chandrika Prosad Roy, aged about 59 years, working as Tower Wagon Driver, Grade-1, in the office of the SSE/OHE/TR-D/LKPR and residing at 162/C, Narkeldanga Railway quarter, Kolkata-700011.
10. Goypada Soren, son of Late Gaja Soren, aged about 59 years, working as Tower Wagon Driver, Grade-1, in the office of the SSE/OHE/TR-D/Barasat and residing at Village- Renuya, P.O. Gorhi Radha Nagar, Narayangarh, District : Paschim Midnapur, PIN -741445.
11. Manindra Nath Mondal, son of Late Asadhan Mondal, aged about 62 years, retired as Tower Wagon Driver, Grade-1, in the office of the SSE/OHE/TR-D/SADH(South) and residing at 307, Bipin Ganguly Road, Kolkata-700030.
12. Saraju Prasad Chaudhry, son of Late Kashi Kurmi, aged about 61 years, retired as Tower Wagon Driver, Grade-1, in the office of the SSE/TR-D/SDAH and residing at Shyamnagar, Kamalpur, Kowgachi (CT), Jaguddal, North 24 Parganas, PIN-743127 (W.B).

...Applicants

-Versus-

1. Union of India, through the General Manager, Eastern Railway, Fairlie Place, 17, Netaji Subhas Road, Kolkata-700001.

401

2. The Chief Personnel Officer, Eastern Railway, Fairlie Place, 17, Netaji Subhas Road, Kolkata-700001.
3. The Divisional Railway Manager, Eastern Railway, Asansol Division, P.O. Asansol, District - Burdwan, PIN-713101.
4. The Sr. Divisional Personnel Officer, Eastern Railway, Asansol Division, P.O. Asansol, District - Burdwan, PIN-713101.

.....Respondents

For The Applicant(s): Mr. A. K Banerjee, Counsel
Mr. P. Sanyal, Counsel

For The Respondent(s): Mr. S.K Das, Counsel

ORDER (ORAL)

Per: Dr. Nandita Chatterjee, Member (A):

Heard ld. counsel for both sides.

2. Ld. counsel for the applicants submits that the instant application has been filed seeking the following relief:
 - a) "An order granting leave to the applicants under Rule 4(5)(a) of the Central Administrative Tribunals (Procedure) Rules, 1987 to move this application jointly."
 - b) An order directing the respondents to act and proceed in accordance with law and further directing them to grant the scale of pay Rs. 5000-8000/- to the applicants, making it at par with Goods Driver with all consequential benefits, retrospectively with effect from 1.1.1996 making it at par with Goods Driver following the order and judgment passed by the Hon'ble High Court at Calcutta in an identical matter being WPCT No. 208 of 2007 (being made Annexure A-1 to this Application) and was been granted to other similarly circumstanced Tower Wagon Drivers of Sealdah Division of the Eastern Railway.
 - c) An order directing the respondents to produce the records relating to the matter before this Hon'ble Tribunal.
 - d) And to pass such other further order or orders as this Hon'ble Tribunal may deem fit and proper.
 - e) Costs and incidental thereto."

3. Ld. counsel for the applicants further states that the applicants had preferred a representation dated 15.02.2016, but the respondent authorities

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are yet to respond. According to their Ld. counsel, the applicants will be satisfied if the respondent authorities are directed to dispose of the said representation in a time bound manner.

4. Accordingly, without entering into the merits of the case, we direct the competent respondent authorities to examine the contents of such representation, dated 15.02.2016 (Annexure A-4 to the O.A), and to pass a reasoned and speaking order in accordance with law within a period of 6 weeks from the date of receipt of this order.

5. With the above directions, the O.A is disposed of. No orders as on costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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