



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/903/2016

Date of Order: 19.04.2018

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

Shri Dipak Bhattacharya, son of Late Anil Kumar Bhattacharya, aged about 48 years, working as a Tech. (E), GR-I, under Sr. DEE(TRS)/Sealdah,E. Rly., residing at 275, Aghore Sarani, P.O Rajpur, P.S Sonarpur, Kolkata - 700149,(Near Rabindra Bhavan).

---Applicant

Versus

1. The Union of India, through the General Manager, Eastern Railway, 4, Fairlie Place, Kolkata - 700001.
2. The Chief Personnel Officer, Eastern Railway, 4, Fairlie Place, Kolkata 700001.
3. The Assistant Personnel Officer (HQ), Eastern Railway, 4, Fairlie Place, Kolkata - 700001.

---Respondents

For the applicant(s): Mr. B. Chatterjee, Counsel

For the respondent(s): Mr. B.L Gangopadhyay, Counsel

Mr. S. Banerjee, Counsel

ORDER (ORAL)

Per: Mrs. Manjula Das, Judicial Member:

By this O.A the applicant has challenged the Office Order No. E. 1025/2/Misc./Law/Assistant/Selection/Pt.V dated 23.05.2016 issued by the Assistant Personnel Officer (HQ) on behalf of the Chief Personnel Officer, Eastern Railway, whereby the panel for filling up of 11 (eleven) posts (UR-08, SC-02, ST-01) of Ch. Law Assistant in PB -2 +GP Rs. 4600/- against 60% departmental quota has been cancelled.

2. The respondents have filed a detailed reply denying the claim of the applicant stating that this O.A. is misconceived and not maintainable under the rules.

The applicant has filed rejoinder to the reply reiterating the claim made in the O.A.

3. Heard Mr. B.Chatterjee, ld. counsel for the applicant and Mr. S. Banerjee, ld. counsel for the respondents. Perused the pleadings and materials place on record.

4. The ld. counsel for the applicant Mr. B. Chatterjee submits that the applicant will be satisfied for the present if a direction is issued to the respondent authorities to consider his case in view of the order of this Tribunal dated 06.10.2016 passed in O.A 818 of 2016.

5. Considering the facts and circumstances of this case, we are of the opinion that it will not be prejudicial to either of the parties if the respondents are directed to consider the case of the applicant in view of the order of this Tribunal dated 06.10.2016 passed in O.A 818 of 2016 and pass necessary order as per rules.

6. In view of the above, the respondent authorities are directed to verify as to whether the present applicant is similar circumstanced to the applicants of O.A/818/2016. On verification if the present applicant is found similarly situated with the above applicants in O.A 818/2016, the similar benefits to be extended to the present applicant.

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

(Dr. Nandita Chatterjee)
Member (A)

(Manjula Das)
Member (J)

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