

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**



No. O.A. 350/911/2016

Date of order: 13.6.2018

Present : Hon'ble Dr. Nandita Chatterjee, Administrative Member

Sri Apurba Nandy,
Son of Sri Siba Prasad Nandy,
Working for gain as Technician Group – I
Under SSE/IC/TRS Barasat and
Residing at Village – Baruipur,
Post Office – Gourangachak,
Police Station – Udaynarayanpur,
District – Howrah,
Pin Code –

Applicant

VERSUS –

1. The Union of India
Service through the General Manager,
Eastern Railway,
Fairlie Place,
Kolkata – 700 001.
2. The Senior Divisional Personnel Officer,
Eastern Railway,
Sealdah,
Kolkata – 700 014.
3. The Assistant Personnel Officer,
Eastern Railway, Sealdah,
Kolkata – 700 014.
4. The Divisional Railway Manager,
Eastern Railway, Sealdah,
Kolkata – 700 014.

.. Respondents

For the Applicants : Mr. K. Mukherjee, Counsel

For the Respondents : Mr. A.K. Banerjee, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Ld. Counsel for the applicant and respondents are both present.

2. The instant Original Application has been filed by the applicant under Section 19 of the Administrative Tribunal Act, 1985 seeking the following relief:-

"(a) Directing the respondent authorities to consider your applicant's prayer for posting him according to extract rules and approve the same in favour of your applicant within a reasonable time.

(b) Directing the respondent authorities, particularly the respondent No. 2, The Senior Divisional Personnel Officer, Eastern Railway herein to produce or cause to be produce the Original record before this Tribunal.

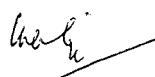
(c) Costs;

(d) Any other or further order or orders to which the applicant may be found entitled by this Learned Tribunal."

3. Ld. Counsel for the applicant further submits that the applicant had been offered temporary appointment as Khalasi vide order dated 26.7.90 (Annexure "A-3" to the O.A.) and thereafter the applicant had requested the respondent authorities for considering his claim for absorbing him in the trade as per the rules laid down in the Apprentice Act and consequential pay fixation as stated in his representation dated 3.5.2016 (Annexure "A-9" to the O.A.).

4. Ld. Counsel for the applicant further states that the respondent authorities are yet to take a decision on his representation and his interest will be served if the respondent authorities are directed to dispose of the said representation within a specific time frame.

5. Hence, without entering into the merits of the case, I hereby direct the respondent No. 2, who is the Sr. Divisional Personnel Officer, Eastern Railway, Sealdah to examine the representation dated 3.5.2016 (Annexed as Annexure "A-9" to the O.A.), if received at his end, and to dispose of the same within 4 weeks of the date of receipt of a copy of this order with a reasoned and speaking



order in accordance with the ^{law} extent rules and regulations of the respondent authorities.

6. The decision arrived at is to be communicated forthwith to the applicant.
7. In case a favourable decision is arrived at benefits, if any, may be released to the applicant within 8 weeks from the date of such decision.
8. With this direction, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

SP