



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

Date of Order: 06.12.2017

OA/350/1633/2017
M.A/350/920/2017

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

1. Sri Ashok Kumar Naik, son of S. Naik, residing at : Bhawani Apartment, Flat No. 28, South Subhas Pally, Dunkuni, Dist.: Hooghly, Pin No.: 712311, working as Junior Engineer/DLCF/Dunkuni/Mechanical Deptt. under Deputy Chief Mechanical Engineer/Dunkuni.
2. Sri Anish Ranjan Biswas, son of A.K Biswas, working as Junior Engineer/DLCF/Dunkuni/Eastern Railway/Dunkuni/Hooghly residing at: Bhawani Apartment, Flat No.: 28, South Subhas Pally, Dunkuni, Dist.: Hooghly/Pin no: 712311.

---Applicants.

- Versus-
1. The Union of India through the General Manager, Eastern Railway, 17, N.S. Road, Kolkata - 700001.
 2. The Chief Works Manager Eastern Railway DLCF/Dunkuni/Hooghly, Pin no.: 712311.
 3. The Deputy Chief Mechanical Engineer, Eastern Railway, DLCF/Dunkuni/Hooghly, Pin no.: 712311.

---Respondents.

For the Applicant(s) : Mr. N. Roy, Counsel
For the Respondent(s) : Mr. S. Banerjee, Counsel

O R D E R (Oral)

Per Mrs. Manjula Das, Judicial Member:

This O.A/350/1663/2017 has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- (a) "To issue direction upon the respondents to consider the representations dated 27.06.17 and 09.10.17 for promotional post of Senior Section Engineer, forthwith.
- (b) To issue further direction upon the respondents to consider the case for the post of Senior Section Engineer/Mechanical where the Applicant's Suitability Test has been done on 15.03.17 for the post of SSE/Mechanical, forthwith.

(c) To produce Connected Departmental Record at the time of hearing.

(d) Any other order or orders as the Learned Tribunal deem fit and proper.

(e) Leave may be granted to file this joint application under 4(5)(a) of the CAT Procedure, 1987".

2. The applicants have also filed an M.A No. 350/920/2017 seeking permission of the Tribunal to move the instant O.A jointly on the ground that they have common interest and common cause of action in the matter.

3. We have heard Id. counsel Mr. N. Roy for the applicants and Id. counsel Mr. S. Banerjee for the respondents. Mr. Banerjee, Id. counsel for the respondents raised no objection to the prayer made in the M.A.

4. Accordingly the M.A No. 350/920/2017 is allowed.

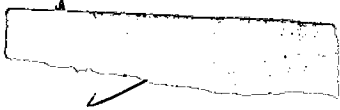
5. So far as the O.A. is concerned Id. counsel for the applicants Mr. N. Roy submits that the applicant would be satisfied for the present if the representations of the applicants dated 27.06.2017 and 09.10.2017 respectively (Annexure A-11 collectively) are disposed of by the respondents with a reasoned and speaking order as per rules within a specific time frame.

6. Having considered the submissions made by Id. counsel for both sides and on perusal of the pleadings and materials available with us, we find it would not be prejudicial to either of the sides if a direction is issued to the competent respondent authority to consider and dispose of the representations of the applicants dated 27.06.2017 and 09.10.2017 (Annexure A/11 collectively) as per rules..

7. Accordingly, the respondent authorities, more particularly the Respondent No. 2 i.e the Chief Works Manager, Eastern Railway DLCF/Dunkuni is directed to consider and dispose of the representations of the applicants dated 09.10.2017 and 27.06.2017 (Annexure A-11 collectively) as per rules and regulations governing the field and pass a reasoned and speaking order within a period of 3 months from the date of receipt of this order. The decision so arrived at shall be communicated to the applicant forthwith. If the applicants' claim is found to be

genuine, we hope and trust that the competent respondent authority shall grant the benefits as per rules within a further period of two months from the date of taking decision in the matter.

8. With the above observations and directions both the OA and M.A stand disposed of. No costs.



(Dr. Nandita Chatterjee)
Member (A)



(Manjula Das)
Member (J)

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