

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH



No. OA 350/962/2017

Date of order : 9.7.2018

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

DINONATH MONDAL
S/o Sri Mrigendra Mondal
Aged about 42 years
By occupation unemployed,
R/o Vill - Madhubati (Kamarpukur)
PO - Sripur, PS - Goghat,
Dist. - Hooghly,
Pin - 712612.

...APPLICANT

VERSUS

1. Union of India, through
The General Manager,
Eastern Railway,
Fairlie Place,
17 N.S.Road,
Kolkata - 700001.
2. The Chief Personnel Officer,
Eastern Railway,
Fairlie Place,
17 N.S.Road,
Kolkata - 700001.
3. The Chief Administrative Officer (Construction)
Eastern Railway,
Koilaghat,
3 Koilaghat Street
Kolkata - 700001.
4. The Competent Authority for
Land Acquisition,
Eastern Railway,
Koilaghat,
3 Koilaghat Street
Kolkata - 700001.
5. The Divisional Railway Manager,
Eastern Railway,
Howrah Division,
Howrah - 711001.
6. The Deputy Chief Engineer
(Construction-VI)
Eastern Railway,
Howrah Division,
Howrah - 711001.

...RESPONDENTS.

For the applicant : Mr.B.Chatterjee, counsel

For the respondents : Mr.S.K.Das, counsel

O R D E R (ORAL)

Ms.Bidisha Banerjee, J.M.

Ld. Counsel for the parties were heard and materials on record were perused.

2. The applicant has filed this application under Section 19 of the Administrative Tribunals Act, 1985 to seek the following reliefs :

- a) an order directing the respondents, their agents, subordinates and successors to appoint the applicant in the relevant designation/post under the land loser category upon considering the application of the applicant dated 30.1.2015 submitted before the respondent authority;
- b) an order directing the respondents to consider the case of the applicant for appointment under Land Loser Category in terms of the Railway Board's circular as well as the commitment made to the applicant vide their office order dated 19th November, 2014;
- c) an order commanding the respondents, their agents, subordinates and successors to show cause as to why the applicant was not considered for employment while the three other applicants in OA No. 350/367/2014 namely Kartick Chandra Panja, Suprabhat Jana and Sk. Najrul Islam were employed under land loser category as reflected in office order dated 6.10.2015;
- d) an order directing the respondents, their agents, subordinates and successors to produce all records and proceedings so that conscionable justices may be administered by granting the reliefs as prayed for hereinabove;
- e) an order directing the respondents, each one of them, their men, agents, staffs, subordinates and associates to certify and transmit to this Hon'ble Tribunal relevant documents pertaining to the present case so that conscionable justice may be administered by directing them to forthwith appoint the applicant in suitable post;
- f) to pass such other order or orders, direction or directions as Your Lordships may deem fit and proper.

3. Ld. Counsels agreed at the bar that the matter can be disposed of with a direction.

4. Therefore without entering into the merits of the matter, we dispose of the OA with a direction to the respondents No.2 & 3 in the present OA to look into the grievance of the applicant and to consider the same in accordance with law and dispose it of by a reasoned and speaking order, to be issued within one month from the date of communication of this order.

5. We make it clear that all points are kept open for consideration by the respondents and in the event applicant is found entitled to the reliefs, to extend the same within one month thereafter.

6. The OA accordingly stands disposed of. No order is passed as to costs.

(DR. NANDITA CHATTERJEE)
MEMBER (A)

(BIDISHA BANERJEE)
MEMBER (J)

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