

LIBRARY

C
O.A.358/1012/2018
M.A.350/509/2018

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

PARTICULARS OF THE APPLICANTS:

1. Bhola Bisaiy, son of late Upendra ~~Narsingh~~, aged about 28 years, residing at Jaihind Nagar, P.O. Nimpara, District - Paschim Medinapore, West Bengal.
2. Smt. Mala Bisaiy, daughter of Late Upendra ~~Narsingh~~, aged about 20 years, residing at Jaihind Nagar, P.O. Nimpara, District - Paschim Medinapore, West Bengal

.... APPLICANTS

V E R S U S

- (1) Union of India, through the General Manager, South Eastern Railway, Garden Reach Road, Kolkata 700 043
- (2) The Divisional Personnel Officer, South Eastern Railway, Kharagpur, Pin 721301, West Bengal.

.... RESPONDENTS

W.H.

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

No.O A /350/1012/ 2018
M.A/350/509/2018

Date of order: 20.07.2018

Coram : Hon'ble Mr. A. K. Patnaik, Judicial Member

For the applicant : Mr. A. Chakraborty, counsel

For the respondents : None

ORDER(Oral)

A. K. Patnaik , Judicial Member

This O.A. has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

"(i) An order do issue directing the respondents to grant of an appointment in favour of the applicant on compassionate ground at an early date;

(ii) Leave may be granted to file this Original Application jointly under Rule 4(5)(a) of the CAT Procedure Rule."

2. The applicants have also filed the M.A.No.350/509/2018 seeking permission of this Tribunal to move the O.A. jointly under Rule 4(5)(a) of

C.A.T(Procedure) Rules, 1987.

3. Heard Mr. A. Chakraborty Id. counsel for the applicants. None appears for the official respondents.

4. The M.A. for joint prosecution is allowed.

5. So far as the O.A. is concerned, Mr. A. Chakraborty, Id. counsel for the applicants submitted that though the applicant No.1 filed a detailed representation to the Sr. Divisional Personnel Officer, South Eastern Railway,

WAL

Kharagpur on 14.08.2017 (Annexure A/4) ventilating their grievances therein, he received no response to the same till date. Mr. Chakraborty further submitted that the applicants would be satisfied for the present if a direction is given to the Respondent No2 i.e. the Divisional Personnel Officer, South Eastern Railway, Kharagpur to consider and dispose of the representation of the applicant No.1 dated 14.08.2017(Annexure A/4) as per rules within a specific time frame.

6. Though no notice has been issued to the respondents, I think it would not be prejudicial to either of the parties, if the above prayer of the Id. counsel for the applicant is allowed.

7. Accordingly the Respondent No2 i.e the Divisional Personnel Officer, South Eastern Railway, Kharagpur is directed to consider and dispose of the representation of the applicants dated 14.08.2017(Annexure A/4) by passing a well reasoned order as per the relevant rules and regulations governing the field within a period of six weeks from the date of receipt of this order and communicate the result to the applicants forthwith. After such consideration if the grievance of the applicant is found to be genuine, then the respondents shall take expeditious steps for granting the consequential benefits to the applicant within a further period of three months from the date of taking decision in the matter.

8. It is made clear that I have not gone into the merits of this case and all the points raised in the representation are kept open for consideration by the respondent authorities as per rules and regulations governing the field.

9. With the aforesaid observations and directions, the O.A. is disposed of at the stage of admission itself.



11. As prayed by Id. counsel for the applicants, a copy of this order along with the paper book be transmitted to Respondent No.2 by the Registry by speed post for which Id. counsel for the applicant shall deposit the cost within one week.

(A. K. Patnaik)
Judicial Member

sb

