

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA

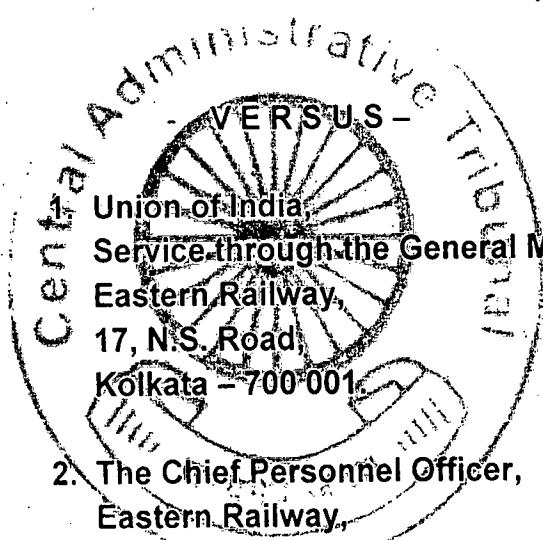
No. O.A. 1175 of 2018

Date of order: 14.8.2018

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

Supriti Das (Chakraborty),  
Daughter of Late Sukhada Ranjan Chakraborty,  
Aged about 45 years,  
Working as Nursing Sister under  
Medical Director, B.R. Singh Hospital,  
Sealdah, Kolkata – 700 014,  
Residing at 'Bipasa' Indra Prastha Lane,  
Helabattala, Sardar Para, P.O. – Hatiara,  
P.S. – New Town, Kolkata – 700 0157.

.. Applicant



2. The Chief Personnel Officer,  
Eastern Railway,  
17, N.S. Road,  
Kolkata – 700 001.
3. The Chief Medical Director,  
Eastern Railway,  
17, N.S. Road,  
Kolkata – 700 001.
4. The Divisional Railway Manager,  
Sealdah Division, Eastern Railway,  
Sealdah, Kolkata – 700 014.
5. The Medical Director,  
B.R. Singh Hospital,  
Sealdah Division, Eastern Railway,  
Kolkata – 700 014.
6. The Senior Divisional Personnel Officer,  
Sealdah Division, Eastern Railway,

*Handwritten signature*

Sealdah, Kolkata – 700 014.

.. Respondents

For the Applicant : Mr. K. Sarkar, Counsel  
Ms. A. Sarkar, Counsel

For the Respondents : Ms. Gopa Roy, Counsel

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

An original application has been filed under Section 19 of the Administrative Tribunal Act, 1985 seeking the following relief:-

(i) To direct the respondents to extend the benefit of the O.M. dated 06.12.2017 of Ministry of Health & Family Welfare, Nursing Section, Govt. of India to the applicant by way of implementation of the judgment and order of the Hon'ble High Court of Delhi in WP (C) No. 8058 of 2015 dated 4.11.2016 as contained in Annexure "A-4" herein;

(ii) To direct the respondents to deal with and/or dispose of the representation of the applicant in this respect dated 7.6.2018 as contained in Annexure "A-5" herein;

(iii) To direct the respondents to produce the entire records of the case before this Hon'ble Tribunal for proper adjudication of the issues involved herein;

(iv) and to pass such other order or further order or orders as to this Hon'ble Tribunal may deem fit and proper."

2. Heard Ld. Counsel for both sides; examined pleadings, documents on record.

3. Ld. Counsel for the applicant submits that a representation preferred by the applicant dated 7.6.2018 (Annexure A-5 to the O.A.) is pending with the respondent authorities and the purpose of the applicant will be served if a direction is issued to the respondents to dispose of the same in a time bound manner.

Ld. Counsel for the applicant also draws our attention to a decision of the Hon'ble High Court of Delhi in WP(C) No. 8058/2015 dated 4.11.2016 and contends that the issue has already been decided conclusively in the said judgment.

*[Signature]*

4. Accordingly, without entering into the merits of the case, we hereby direct the competent respondent authority, who according to the applicant is respondent No. 5, namely, the Medical Director, B.R. Singh Hospital, Eastern Railway, Kolkata, to examine the said representation, if pending at his end, in the light of the decision of the Hon'ble Delhi High Court in WP (C). 8058/2015 dated 4.11.2016 (Annexure A-4 to the O.A.) and to issue a reasoned and speaking order within a period of six weeks from the receipt of a copy of this order. The decision arrived at should be communicated forthwith to the applicant.

5. With this, the O.A. is disposed of. There will be no order on costs.

