

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 350/1211/2016

Date of order : 24.2.2017



Present: Hon'ble Mr.A.K.Patnaik, Judicial Member
Hon'ble Ms.Jaya Das Gupta, Administrative Member

MANOJ KUMAR HELA

S/o Panchu Hela,
Aged about 40 years,
By faith Hindu,
By occupation unemployed,
R/o 73 Bhairab Dutta Lane,
Salkia, Dist. - Howrah,
Pin - 711106.

...APPLICANT

VERSUS

1. Union of India, service through
The General Manager,
Eastern Railway,
17 N.S.Road,
Kolkata - 700001.
2. The Secretary,
Ministry of Railways,
Railway Board,
Railbhavan,
New Delhi - 110001.
3. The Chief Personnel Officer,
Eastern Railway,
Howrah - 711101.
4. The Divl. Railway Manager,
Eastern Railway,
Howrah - 711101.
5. The Sr. Divisional Personnel Officer,
Eastern Railway,
Howrah - 711101.

...RESPONDENTS.

For the applicant : Sk.S.H.Molla, counsel

For the respondents: Mr.M.K.Bandyopadhyay, counsel

O R D E R

Mr.A.K.Patnaik, J.M.

This OA has been filed by the applicant under Section 19 of the A.T. Act,
1985 seeking the following prayer :

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- a) An order do issue upon the respondents particularly upon the Sr. Divisional Personnel Officer, Eastern railway, Howrah to issue necessary order for the appointment of the applicant on the compassionate ground by cancelling and/or quashing their office order vide No. DCC/Comp/34120405 dated 6.6.16;
 - b) An order do issue upon the respondents to dispose of the representation dated 30.6.16 to the General Manager, Eastern Railway and to produce entire document before the Tribunal for conscionable justice.
 - c) And any other order/orders as Your Lordship may deem fit and proper for the ends of justice of the applicant.

2. Heard Sk.S.H.Molla, Id. Counsel appearing for the applicant and Mr.M.K.Bandyopadhyay, Id. Counsel appearing for the respondents.

3. Mr. Molla submitted that as the applicant has already ventilated his grievance by way of representation dated 30.6.2016 before the respondent No.1 and till date no reply has been received by him, the applicant will be satisfied if respondent No.1 is given a direction to consider and dispose of the representation within a specific time frame.

4. We think it will not be prejudicial to either of the side if we dispose of this OA by directing the respondent No.1 to consider the representation, if any such representation/appeal has been preferred by the applicant and the same is still pending consideration and dispose it of by passing a well reasoned order and communicate the same to the applicant within 2 months from the date of receipt of this order.

5. Though we have not expressed any opinion on the merit of the matter and all the points raised in the representation are kept open for the said respondent No.1 to consider the same as per the rules and regulations in force, still then we hereby direct that after such consideration if the applicants' grievance is found to be genuine, then expeditious steps may be taken within a further period of 3 months from the date of such consideration to extend those benefits to the applicant.

6. As prayed for by Mr.Molla, a copy of this order along with the paper book be transmitted to respondent No.1 by Speed Post for which he will deposit the cost with the Registry within a period of one week. Mr.Bandyopadhyay, Id.

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Counsel appearing for the Eastern Railway is present in the Court and was heard.

7. With the aforesaid observation and direction the OA is disposed of.

(JAYA DAS GUPTA)
MEMBER (A)

(A.K.PATNAIK)
MEMBER (J)

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