



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

M.A. NO. 350/135/2017
O.A. NO. 350/1225/2016

Dated : 17.11.2017

Coram : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

1. Himadri Kundu,
Son of Pasupati Kundu,
Aged about 37 years,
By occupation Unemployed,
Residing at Village & P.O. Kamarpukur,
District : Hooghly, Pin – 712 612.
2. Suman Nandi,
Son of Ashok Kumar Nandi,
Aged about 23 years,
By occupation unemployed,
Residing at Village Dasghara,
P.O. Kamarpukur, P.S. Goghat,
District Hooghly, Pin – 712 612.
3. Anirban Dey,
Son of Achinta Dey,
Aged about 25 years,
By occupation unemployed,
Residing at Balarampur,
P.O. Mirgachatra, P.S. Goghat,
District Hooghly, Pin – 712 602.
4. Shyamasish Rakshit,
Son of Sri Asit Kumar Rakshit,
Aged about 21 years,
By occupation unemployed,
Residing at Village Sripur,
P.O. Kamarpukur, P.S. Goghat,
District Hooghly, Pin – 712 612.
5. Sujan Dey,
Son of Sri Bidyut Dey,
Aged about 22 years,
By occupation unemployed,
Residing at Village Nabason,
P.O. & P.S. Goghat,
District Hooghly, Pin – 712 614.

..... Applicants.

-Versus-

1. Union of India,
Service through the General Manager,
Eastern Railway, Fairlie Place,
17, N.S. Road,
Kolkata – 700 001.
2. The Chief Personnel Officer,
Eastern Railway, Fairlie Place,
17, N.S. Road,
Kolkata – 700 001.
3. The Chief Administrative Officer
(Construction), Eastern Railway,
Koilaghat, 3, Koilaghat Street,
Kolkata – 700 001.
4. The Competent Authority
For Land Acquisition,
Eastern Railway, Koilaghat,
3, Koilaghat Street,
Kolkata – 700 001.
5. The Divisional Railway Manager,
Eastern Railway, Howrah Division,
Howrah – 711 001.
6. The Deputy Chief Engineer
(Construction-1), Eastern Railway,
Howrah Division,
Howrah – 700 001.

..... Respondents.

For the applicant : Mr. B. Chatterjee, Counsel

For the respondents : Mr. B.L. Gangopadhyay, Counsel

O R D E R (Oral)

Bidisha Banerjee, Judicial Member

Heard both sides. MA is allowed.

The applicants are allowed to be represented jointly in the OA.

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2. In the OA the applicants have sought for following reliefs:

"8.(a) Leave may be granted to move this application jointly under Rule 4(5)(a) of the CAT Procedure Rules;

(b) An order commanding the respondents, their agents, subordinates and successors to grant compassionate appointment under the Eastern Railway in any Group 'D' post in favour of the applicants under land looser category;

(c) An order directing the respondents, their agents, subordinates and successors to produce all records and proceedings so that consonable justices may be administered by granting the reliefs as prayed for hereinabove;

(d) 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 consonable justice may be administered by directing them to forthwith appoint the applicants in suitable posts in the pay scale of Grade Pay Rs. 1,300/- with Pay Band-I;

(e) To pass such other order or orders, direction or directions as Your Lordships may deem fit and proper."

3. During the course of hearing Ld. Counsel for the applicant submitted that

he would be satisfied with a direction to consider the representation pending before concerned authority.

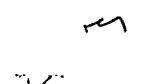
4. Ld. Counsel for the respondents does not object to such disposal.

5. Accordingly, the respondent appellate authority DRM, Eastern Railway,

Howrah is directed to consider the pending representation, in accordance with law as well as circular RBE No. 99/2010 referred therein, and with a reasoned and speaking order within 3 months from the receipt of copy of this order and to communicate the order to the applicants forwith.

6. It is made clear that we have not gone into the merits of the matter and therefore all points are kept open for consideration by the respondents.

7. For the purpose applicant shall deposit individual court fees/ postal order within 1 week to obtain copy of this order.
8. With the above direction, OA stands disposed of.


(Jaya Das Gupta)
Member (A)


(Bidisha Banerjee)
Member (J)

drh

