

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

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No. O.A. 350/01234/2017

Date of order: 15.3.2018

Present: Hon'ble Ms. Manjula Das, Judicial Member

Shri Navin Kumar Sharma,
 Son of Ramesh Chandra Sharma,
 Aged about 38 years,
 Unemployed youth,
 Residing at Village – Pananiyan,
 Post – Pananiyan,
 P.S. Imamganj,
 District – Gaya,
 State – Bihar,
 Pin – 824 217,
 Written Examination Roll No. 62025852.

Applicant

1. The Union of India,
 Service through the General Manager,
 South Eastern Railway,
 11, Garden Reach Road,
 Kolkata – 700 043.
2. The Chairman,
 Railway Recruitment Cell,
 South Eastern Railway,
 11, Garden Reach Road,
 Kolkata – 700 043.
3. The Assistant Personnel Officer,
 South Eastern Railway,
 11, Garden Reach Road,
 Kolkata – 700 043.

Respondents

For the Applicant : Mr. J.R. Das, Counsel

For the Respondents : None



ORDER (Oral)Per Ms. Manjula Das, Judicial Member:

Heard Ld. Counsel for the applicant

2. This application has been filed under Section 19 of the Administrative Tribunal Act, 1985 seeking the following relief:-

"(i) An order directing the respondents to withholding his candidature of the applicant is unfair, unjust, arbitrary, and illegal, malafide is bad in law and cannot be sustained.

(ii) Acts on omissions on the part of the respondents in declining to consider the candidature of the applicant for employment by offering appointment and withhold the same without any rhyme is bad in law principle of natural violated in the facts and circumstances of the case.

(iii) An order withhold of his result of candidature of the applicant which cannot be sustainable in the eye of law which not at all any logical ground and no irregularity committed and actuated by any ill motive by the applicant, therefore is bad in law and arbitrary and cannot be sustained.

(iv) An order directing the respondents to empanel the applicant for offering appointment to the applicant as per his merit position with all consequential benefits within period as to this Hon'ble Tribunal may seem fit and proper.

(v) An order directing the respondents to extent the benefit of the judgment delivered by the Hon'ble Tribunal time number occasions to the applicant herein.

(vi) An order directing the respondent deal with and disposed of the representation made by the applicant forthwith.

(vi) An order directing the respondents to produce entire records of the case at the time of adjudication for conscionable justice.

(vii) Any other order or further order or orders as to this Hon'ble Tribunal may seem fit and proper."

3. Ld. Counsel for the applicant submits that the applicant wants to make a comprehensive representation addressed to respondent Nos. 2 and 3 within a period of two weeks and he will be satisfied if a direction is given to the concerned respondent Nos. 2 and 3 to consider and dispose of the said representation within a specific time frame.

4. Without entering into the merits of the case, I hereby direct the applicant to make a comprehensive representation addressed to the respondent Nos. 2 and 3



within a period of two weeks and the respondent Nos. 2 & 3 are directed to consider and dispose of the comprehensive representation within a period of 2 months from the date of receipt of such representation and the decision thereof be communicated to the applicant within a period of 2 weeks therefrom.

5. Needless to say that such order should be reasoned and speaking and should be based on the rules, regulations and policy of the respondent authority and once a decision is arrived at same should be communicated immediately to the applicant within a period of 2 weeks. If the applicant is found entitled to the relief as claimed in the O.A., the same shall be extended to him within a period of 2 months from the date of taking a decision on the representation.

6. With this, the O.A. is disposed of. There shall be no orders as to costs.

(Manjula Das)

Judicial Member

SP