

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCHNo. O.A. 350/01273/2017
M.A. 350/00769/2017

Date of order: 12.12.2017

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

- (1) Chandan Kumar Basu,
Son of Gobinda Kumar Basu,
Aged about 29 years,
Residing at Vill. Gangnapur (Sukantapally),
P.O. + P.S. - Gangnapur, Dist. Nadia,
West Bengal, Pin - 741 238.
- (2) Trishit Gupta,
Son of Shyama Pada Gupta,
Aged about 31 years,
Residing at Vill. & P.O. - Madhutati,
P.S. - Raghunathpur,
District - Purulia,
Pin - 723133.
- (3) Jagannath Mandal
Son of Haradhan Mandal,
Aged about 31 years,
Residing at Village Subirora,
Post Office - Nityananda Pur,
P.S. Gangajal Ghati,
District - Bankura,
Pin - 722 142.
- (4) Ranjan Das
Son of Manik Das,
Aged about 29 years,
Residing Vill. Gopalpur,
P.O. - Asansol, P.S. - Asansol South,
Dist. - Burdwan,
Pin 713304.
- (5) Surajit Barman,
Son of Shyam Sundar Barman,
Aged about 31 years,
Residing at 9 No. Teorpara Lane,
P.O. Telinipara, P.S. - Bhadreswar,
Dist. Hooghly,
Pin 712125.
- (6) Shital Routh,
Son of Kanailal Routh,
Aged about 30 years,
Residing at Village Jamda,
P.O. - Jhargram, P.S. - Jhargram,
Dist. Paschim Medinipur,
Pin 721507.
- (7) Md. Mofizul Islam,
Son of Md. Nazrul Islam,
Aged about 28 years,
Residing at Village & P.O. - Rautara,
P.S. Habra,

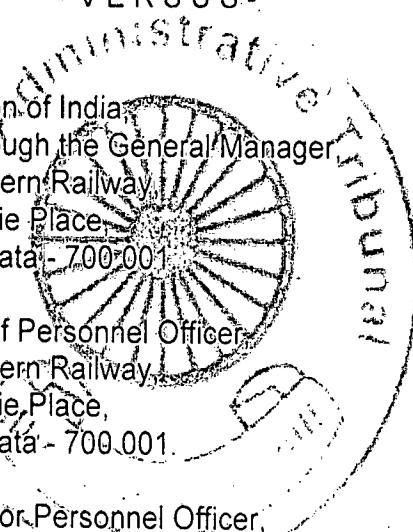
District - (North) 24 PGNS,
Pin 743234.

(8) Md. Nuruzzaman,
Son of Golam Murtuza,
Aged about 33 years,
Residing at Village - Khalilpur,
P.O. - Nowapara, P.S. Nalhati,
District - Birbhum,
Pin - 731237.

(9) Tapan Biswas,
Son of Sunil Biswas,
Aged about 30 years,
Residing at Village & P.O. - Joypur,
P.S. Hanskhali,
District - Nadia,
Pin - 741102,
West Bengal.

... Applicants

- V E R S U S -



1. Union of India,
Through the General Manager,
Eastern Railway,
Fairlie Place,
Kolkata - 700 001
2. Chief Personnel Officer,
Eastern Railway,
Fairlie Place,
Kolkata - 700 001.
3. Senior Personnel Officer,
Eastern Railway,
Fairlie Place,
Kolkata - 700 001.

... Respondents

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. B.K. Roy, Counsel

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

As common cause of action and common interest prevails in the matter, the O.A. for joint prosecution is allowed.

2. The instant application is filed under Section 19 of the AT Act, 1985 seeking the following relief:-



"(a) An order do issue directing the respondents to absorb the applicants who completed Act Apprentices in 2013 in view of the Railway Boards' circular issued in 2004 (RBE. 136/2004).

(b) Leave may be granted to file this original application jointly under Rule 4(5)(a) of the CAT (Procedure) Rules, 1987."

3. It is seen from the records annexed to the application that the applicant has preferred a representation dated 8.8.2017 to the Chief Personnel Officer, Eastern Railway, Fairlie Place i.e. respondent No. 2 praying for appointment as Substitute in Eastern Railway.

4. The Ld. Counsel for the applicant as well as Ld. Counsel for the respondents are both present and heard.

5. We hereby dispose of the representation by directing respondent No.2 i.e. the Chief Personnel Officer, Eastern Railway, Fairlie Place, Kolkata to dispose of the representation , if received at his end, dated 8.8.2017 within a period of six weeks from the date of receipt of this order.

6. While disposing of the same, the respondent No. 2 shall pass a reasoned and speaking order based on the extant rules and regulations as applicable to the respondent authorities and the applicant in this regard.

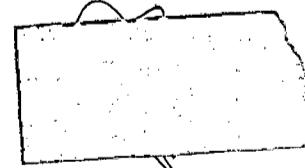
7. Once a decision is arrived at, the same should be communicated immediately to the applicant.

8. In case, the respondent No.2's decision is in favour of the applicant, consequential benefits may be accorded to the applicant.

9. It is made clear that we have not gone into the merits of the case and all points are left open for consideration of the concerned respondent authorities.

10. The O.A. is disposed of accordingly. No costs.

(Dr. Nandita Chatterjee)
Administrative Member



(Manjula Das)
Judicial Member