

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 350/1305/2017

Date of order : 30.1.2018

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

BINODINI MANNA (SHEE)

D/o Late Tarapada Manna,
Working under Eastern Railway,
R/o Noapara, Khalisani,
Chandanagore,
Dist. – Hooghly,
Pin – 712138.

...APPLICANT

VERSUS

1. Union of India, through
The General Manager,
Eastern Railway,
17 Netaji Subhas Road,
Kolkata – 700001.
2. The Divisional Railway Manager,
Eastern Railway,
Howrah,
3. The Chief Personnel Officer,
Eastern Railway,
Kolkata.
4. The Assistant Personnel Officer,
Eastern Railway,
Howrah.

....RESPONDENTS.

For the applicant : Mr.T.K.Biswas, counsel

For the respondents: Mr.B.K.Roy, counsel

O R D E R (ORAL)

Per Ms.Manjula Das, Judicial Member

Mr.T.K.Biswas, ld. Counsel appeared for the applicant and Mr.B.K.Roy,
ld. Counsel appeared for the respondents.

2. The applicant has approached this Tribunal under Section 19 of the
Administrative Tribunals Act, 1985 seeking the following reliefs :

- a) An order directing respondents to give the applicant Out of Turn
Promotion to the post of any Group 'C' post on the basis of RBE

- No. 89/90 w.e.f. June, 1989 with all consequential benefits as the applicant fulfilled all the required criteria for the said promotion;
- b) Any other order or orders, or direction as may be deemed fit and proper by this Hon'ble Tribunal for the ends of justice.

3. Mr.Biswas, Id. Counsel for the applicant submitted that the applicant was initially appointed as Peon in Group 'D' post on 15.3.1996. The applicant is a player of 'Kabadi Team' of Eastern Railway and acquired different places in National Level Championship. As a result thereof the applicant is entitled to get out of turn promotion under Sports Quota as per Railway Board Establishment Circular No. 89/1990, but till date the benefit has not been given to the applicant. The applicant has made several representations before the respondent authorities, the latest of which is dated 29.8.2016. Since the said representation is not yet responded to by the respondent authorities, the applicant has approached this Tribunal in the present OA.

4. Mr.Biswas, Id. Counsel for the applicant submitted that the applicant will be satisfied if a direction is given to the respondent authorities to consider the representation and pass a reasoned and speaking order.

5. We therefore dispose of the OA with a direction to the respondent authorities, more particularly respondent No.1 to consider the representation dated 29.8.2016 in the light of the Railway Board circular No. E(NG) II/90/RR-3/3 dated 25.5.1990 within a period of two months from the date of receipt of the copy of this order. The decision so arrived at shall be reasoned and speaking one and shall be communicated to the applicant forthwith.

5. It is made clear that if the applicant is not satisfied with the decision of the authority the applicant may approach this Tribunal by making his grievances.

6. With the above observation and direction the OA stands disposed of. No order as to costs.

(DR. NANDITA CHATTERJEE)
ADMINISTRATIVE MEMBER

(MANJULA DAS)
JUDICIAL MEMBER

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