

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

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No. O.A. 350/1329/2017

Date of Order: 02.04.2018

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

Joynal  
Vs.  
Eastern Railway

For the Applicant : Mr. B.K. Mondal, Counsel

For the Respondents : Mr. P.B. Mukherjee, Counsel

ORDER (Oral)

Per Ms. Manjula Das, Judicial Member:

Mr. B.K. Mondal, Id. Counsel appears for the applicant and Mr. P.B.

Mukherjee, Id. Counsel appears for the respondents.

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

"8(a) An order directing the respondent authority concerned to forthwith pay the entire service benefits with effect from 14.12.1973 i.e. the first day of appointment of the applicant without any further delay along with accrued interest @ 24% to the applicant.

(b) An order directing the respondent authorities to take a decision to redress the applicant's grievances upon consideration of the applicant's representation dated 03.10.2016 without any further delay.

© Any other order or direction as it would deem fit and proper to your Lordships for granting relief to the applicant under law and equity or natural justice."

3. This application is being moved by the applicant against inaction or arbitrariness on the part of the respondent concerned in connection with non-consideration of the representation dated 03.10.2016 submitted by the applicant for not giving him the service benefits which was commenced on and from 14.12.1973. The respondent authority blatantly refused to accept the service

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period on and from 14.12.1973 to 20.08.1984. The concerned authorities did not count and/or take into account at the time of calculation of the service period of the applicant in total and as a result of that the applicant has suffered huge amount of service benefits and is getting lesser amount of his monthly pension. As such he made representation dated 03.10.2016 which has been duly accepted by the respondents.

4. At the outset while moving the matter, Id. Counsel appearing on behalf of the applicant submitted that he will be satisfied if a direction is given to the respondent authority to dispose of the pending representation of the applicant dated 03.10.2016 within a time bound manner.
5. By accepting the prayer of the Id. Counsel for applicant and without going into the merits of this case, I hereby dispose of the OA by directing the respondents authority, more particularly the respondent no. 1 to consider and dispose of the representation of the applicant within a period of 3 months from the date of receipt of this order by passing a reasoned and speaking order thereafter by affording opportunity of being heard. The decision so arrived shall be communicated to the applicant forthwith.
6. The OA is therefore disposed of. No order as to costs.

(Manjula Das)  
Member (J)

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