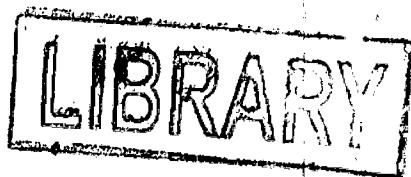


CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH



Dated : 22.11.2017

O.A. NO. 350/1342/2017
O.M. NO. 350/807/2017

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

1. Subir Kumar Mandal,
Aged about 57 years,
2 No. Shankari Pukur
Rash Behari Basu Road,
P.O. Sripally, P.S. Bardhaman Sadar,
District Bardhaman, PIN – 713 103.
2. Purnendu Shakher Ojha,
Son of Late Biswa Nath Ojha,
Aged about 56 years,
20, K.M. Banajerjee Road,
P.O. Nimta, P.S. Khardah,
Kolkata – 700 048
3. Amulya Ratan Mondal,
Son of Late Tribhanga Mondal,
Aged about 55 years,
Fatak Duar Road,
In front of Rly. Micro Tower,
P.O. & P.S. Rampurhat,
District Birbhum, PIN – 731 224
4. Chandra Mouli Shukla,
Son of Late Ganga Vishnu Shukla,
Aged about 55 years,
Village Manushpur basti,
P.O. Bandel, P.S. Chinsurah,
District Hooghly, PIN – 712 123.
5. Ram Sahai Prasad,
Son of Late Ram Bhanjan Prasad,
Aged about 59 years,
Flat I.C., First Floor, 9/10,
Dashrath Ghosh Lane,
P.O. Salkia, P.S. Batra,
District Howrah, PIN – 711 106.
6. Bidyut Kumar Mondal,
Son of Late Anil Kumar Mondal,
Aged about 54 years,

Saha Bagan (South Vivekananda Road),
P.O. Rampurhat, P.S. Rampurhat,
District Birbhum, PIN – 731 224.

7. Jadab Chandra Mondal,
Son of Late Dwija Pada Mondal,
Aged about 57 years,
44/1, Shib Chandra Chatterjee Street,
P.O. Belurmath, P.S. Belur,
District Howrah, PIN – 711 202.

8. Nirmal Chkraborty,
Son of Kallyan Kumar Chakraborty,
Aged about 55 years,
of 17/C, P.W.D. Road,
P.O. I.S.I., P.S. Baranagar
Kolkata – 700 108.

9. Sanjoy Chakraborty,
Son of Late Ranjit Chakraborty,
Aged about 56 years
Of Flat No.102, Block – KA, 62,
Dewan Gazi Road,
P.O. & P.S. Bally,
District Howrah, PIN 711 201.

10. Sankardas Mallick,
Son of Late Prafulla Chandra Mallick,
Aged about 55 years,
Of Barrack Road, beside Khadya Bhavan,
P.O. & P.S. Chinsurah,
District Hooghly, PIN 712 101.

11. Pranab Kumar Sasmal,
Son of Late Pradyumna Sasmal,
Aged about 56 years,
Of Swastik Apartment, 241, G.T.Road,
P.O. & P.S. Uttarpara,
District Hooghly, PIN – 712 258.

12. Jahar Lal Sarkar,
Son of Late Suresh Chandra Sarkar,
Aged about 55 years,
Of Netaji Subhash Sarani,
No. 1 Govt. Colony,
P.O. Nabahnagar, P.S. Bijnor,
District 24-Parganas (N),
PIN – 743 136.

13. Ranajay Mandal,

Son of Late Ahit Kumar Mondal,
 Aged about 54 years,
 Of Village and P.O. Rampurhat,
 (Chand Mari Handicap School Road,
 2nd Building), P.S. Rampurhat,
 District Birbhum, PIN – 731 224.

14. Nuruddin Ahmed,
 Son of Late Md. Nurul Huda,
 Aged about 59 years,
 Of Kaikhali Mallickpara,
 P.O. & P.S. Airport,
 District 24-Parganas (North),
 PIN – 700 052.

15. Sanat Nandy,
 Son of Late Radhaballav Nandy,
 Aged about 55 years,
 Pubali Apartment, Block-A (2nd Floor),
 Naldanga More (G.T. Road),
 P.O. Bandel, P.S. Chinsurah,
 District Hooghly, PIN – 712 123.

..... Applicants.

Versus

1. Union of India,
 Service through the General-Manager,
 Eastern Railway,
 17, N.S. Road, Fairlie Place,
 Kolkata – 700 001.

2. The Chief Personnel Officer,
 Eastern Railway,
 17, N.S. Road, Fairlie Place,
 Kolkata – 700 001.

3. The Chief Mechanical Engineer/
 E. Rly./F.P./Kolkata,
 17, N.S. Road, Fairlie Place,
 Kolkata 700 001.

4. Divisional Railway Manager,
 Howrah, at Post Howrah,
 Howrah – 711 101.

5. Senior Divisional Personnel Officer,
 Howrah/E. Rly., at Post Howrah,
 Howrah – 711 101.

6. Sr. Divisional Personnel Officer,
Sealdah/ E. Rly., At Post Sealdah,
Kolkata – 700 043.

7. Sr. Division Mechanical Engineer
(P)/ Howrah, At Post Howrah,
District Howrah – 711 101.

..... Respondents.

8. Biswanath Sarkar,
(CLI/MECH/DSL/SDAH),
Of Village Sutargachi, P.O. Simurali,
District Nadia, PIN – 741 248.

..... Proforma Respondent.

For the applicant : Mr. A.K. Gayen, Counsel

For the respondents : Mr. M.K. Bandyopadhyay, Counsel

O R D E R (Oral)

Manjula Das, Judicial Member

By the MA. No. 350/807/2017 the applicants have prayed for filing the OA.

No. 350/1342/2017 jointly under Section 4(5)(a) of the General Administrative Tribunal (Procedures) Rules, 1987. The applicants have stated that they have common interest and common cause of action in the matter, therefore, they may be permitted to file the OA jointly.

2. Heard both side. On perusal of the pleadings and materials placed before me. I find that the all the applicants have the common interest and common cause of action. As such permission is granted to file the O.A. jointly as provided under Section 4(5)(a) of CAT (Procedures) Rules, 1987. M.A. stands allowed.

3. In the O.A. the applicants have prayed for the following reliefs:-



"8.(a) Liberty may be granted under Rule 4(5)(a) of the CAT (Procedure) Rules 1987 to file and maintain the original application jointly.

(b) To direct the respondents to cause them to act in accordance with RBE No. 137 of 2009 dated 24.07.2009 by way of granting the benefits of stepping up of pay in favour of the applicants forthwith.

(c) Direction be made upon the respondents by way of complying with the order dated 07.12.2011 passed in WPCT 224 of 2010 against which SLP has been dismissed as a result, grant stepping up of pay to the applicants at par with the proforma respondent being the respondent no. 8 herein w.e.f. 08.04.2006 with all consequential benefits alongwith interest of 10% p.a. on the arrears.

(d) Direction be made upon the respondents more particularly the respondent no. 2 to consider the original application by treating as representation within a specified period in the light of the earlier orders of the Learned Tribunal dated 30.06.2015 and 07.01.2015 being annexure 'A-6' of this application and also by considering the representations as mentioned in Annexure - 'A7'

(e) Any other order(s) as the Hon'ble Tribunal deems fit and proper."

4. The Id. Counsel for the applicant Mr. A.K. Gayen submits that the applicants have filed representations to the authorities ventilating their grievances as stated in this OA, but the authorities did not consider their case.

Finding no other alternative they have approached this Tribunal by filing this OA. seeking appropriate relief.

5. Mr. Gayen, Id. Counsel for the applicant further submits that the applicants would be satisfied for the present if a direction is given to the respondent authorities more particularly to respondent No. 2 to consider and dispose of the representations dated 28.9.16, 29.9.2016, 12.03.2017, 28.09.2016, 29.09.2016, 09.03.2017, 14.3.2017, 8.11.2016, 04.10.16, 28.09.16, 12.03.2017, 28.09.2016 and 28.09.16 of the applicants (Annexure A/7 collectively) with reasoned and speaking orders within a specific time frame.



6. Accordingly the respondent No. 2 is directed to consider and dispose of the representations dated 28.9.16, 29.9.2016, 12.03.2017, 28.09.2016, 29.09.2016, 09.03.2017, 14.3.2017, 8.11.2016, 04.10.16, 28.09.16, 12.03.2017, 28.09.2016 and 28.09.16 of the applicants (Annexure A/7 collectively), if such representations are pending for disposal, by passing reasoned and speaking orders within 3 months from the date of receipt of this order. The decision so arrived at shall be communicated to the applicants forthwith.

7. With the above observations and directions, the OA stands disposed of.

(Manjula Das)
Member (J)

drh