



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

No. O.A. 1453 of 2016

Date of order: 7.9.2018

**Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member**

**Sri Birju Prasad,
Age 57 yrs.,
S/o. Mahabir Ram,
Residing at Namopara,
Budha Village near Saraswati Mandir,
P.O. – Asansol, Dist. – Burdwan – 713301.**

.. Applicant**- V E R S U S -**

- 1. Union of India,
Represented by the General Manager,
E. Railway,
17, N.S. Road,
Kolkata – 700 001;**
- 2. The Chief Personnel Officer,
E. Railway,
Fairlie Place,
Kolkata – 700 001;**
- 3. The Sr. Divisional Personnel Officer,
Eastern Railway, Asansol,
P.O. – Asansol, Dist. – Burdwan – 713301.**
- 4. Sri Prokash Dutta,
S/o. Sri Nalini-Kanta Dutta,
Chief Loco Inspector,
Under DME (O&F)/Asansol,
Qrts. No. 478/AB Dwadka Road,
P.O. – Asansol, Dist. – Burdwan – 713302.**

.. Respondents

For the Applicant : Mr. C. Sinha, Counsel

For the Respondents : Mr. A.K. Guha, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

The instant Original Application has been filed under Section 19 of the
Administrative Tribunals Act, 1985 seeking the following relief:-

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"(a) To pass order and or direction upon the respondent authority particularly the respondent No. 2 to fix the pay of the applicant at par with his junior Sri Prokash Dutta's CLI/Asansol with retrospective effect as per judgment/order of the Hon'ble CAT/High Court/Kolkata and Hon'ble Supreme Court by setting aside the RTI reply dated 3rd May, 2016 and 3.3.2016 within the specified period.

(b) To pass such other further order/and or orders as your Lordships may deem fit and proper."

2. Ld. Counsel for the applicant and respondents are both present and heard.

3. Ld. Counsel for the applicant submits that the applicant would be satisfied if liberty is granted to him to file a comprehensive representation with supporting documents to the competent respondent authority who may be directed to dispose of the same in a time bound manner.

4. Accordingly, with the consent of Ld. Counsel for both parties and without entering into the merits of the matter, we hereby grant liberty to the applicant to file a comprehensive representation to the competent respondent authority, who according to the applicant is respondent No. 2 namely, the Chief Personnel Officer, Eastern Railway within a period of 2 weeks from the date of receipt of a copy of this order.

5. We further direct the respondent No. 2 that upon receipt of such representation, the same may be disposed of with a reasoned and speaking order in accordance with law within a period of 4 weeks thereafter. Decision arrived at is to be communicated forthwith to the applicant.

6. With this, the O.A. is disposed of. No costs.


(Dr. Nandita Chatterjee)
Administrative Member


(Bidisha Banerjee)
Judicial Member

SP