



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CALCUTTA BENCH, CALCUTTA

O. A. No. 350/00 / 479 of 2016

IN THE MATTER OF:

SUKUMAR DEY, aged about 55 years, son of
Late Dharmadas Dey, residing at Gopalganj
Buróshibatala, Post Office-Bishnupur, District-
Bankura, Pin-722122 and working as Call Boy
under CYM/BKSC, South Eastern Railway,
Adra Division.,

...PETITIONER

-VERSUS-

1. UNION OF INDIA, service through the General
Manager, South Eastern Railway, Garden
Reach, Kolkata- 700043;
2. THE DIVISIONAL RAILWAY MANAGER.
South Eastern Railway, Adra Division, Adra,
District-Purulia, Pin-723121;
3. THE ADDITIONAL DIVISIONAL RAILWAY
MANAGER, South Eastern Railway, Adra
Division, Adra, District-Purulia, Pin-723121 ;
4. THE SENIOR DIVISIONAL OPERATION
MANAGER, South Eastern Railway, Adra
Division, Adra, District-Purulia, Pin-723121;

Sukumar Dey
dc

5. THE AREA MANAGER. South Eastern
Railway, BKSC, Adra Division, Adra. District-
Purulia, Pin-723121.

..RESPONDENTS

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Date of order : 23.01.2017

Coram : Hon'ble Mr. A.K. Patnaik, Judicial Member

Hon'ble Ms. Jaya Das Gupta, Administrative Member

For the applicant : Mr. P.C. Das, counsel

Mr. T. Maity, counsel

For the respondents : None

O R D E R (ORAL)

Mr. A.K. Patnaik, J.M.

Heard Mr. P.C. Das, Id. counsel for the applicant.

2. This O.A. has been filed challenging the non consideration of the prayer of the applicant vide representation dated 04.09.2015 in respect of regularisation of the period from removal from service to reinstatement in service i.e. with effect from 18.09.2000 to 05.10.2012 as per the extant rule keeping in view that the applicant's date of superannuation is in this year being Annexure A-31 and A-32 of this original application. The part of the order dated 24.09.2012 by which the period from removal from service to reinstatement in service i.e. with effect from 18.09.2000 to 05.10.2012 is treated as 'Dies Non' being Annexure A-29 of this original application. The applicant has also challenged non-consideration of the representation dated 4th September, 2015 which was made by the applicant as per direction of the railway authority dated 04.09.2015 for consideration of the period from removal of service to reinstatement of service i.e. with effect from 18.09.2000 to 05.10.2012 to be regularised along with all consequential benefits being Annexure A-32 of this original application.

3. Mr. P.C. Das, Id. counsel for the applicant submitted that in response to the letter of the Assistant Area Manager, South Eastern Railway, BKSC dated 04.09.2015 (Annexure A/31) the applicant has made a representation to the said

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authority on 29.09.2015(Annexure A/32) ventilating his grievances therein, but he has not received any communication in response to the said representation.

4. As the representation of the applicant is stated to have been made on 29.09.2015(Annexure A/32) and no response has been received, without waiting for reply statement from the respondents, we dispose of this O.A. by directing the Respondent No.5, the Area Manager, South Eastern Railway, BKSC, Adra Division, Adra to consider and dispose of the representation of the applicant keeping in mind the letter dated 04.09.2015 as well as the well settled position of law and rules governing the field and communicate the decision within a period of 2 months from the date of receipt of a copy of this order.

5. Though we have not expressed any opinion on the merit of the matter and all the points raised in the representation dated 29.09.2015(A/32) are kept open for consideration by the respondents as per the rules governing the field, we hope and trust that after such consideration if the grievance of the applicant is found to be genuine, then expeditious steps may be taken for redressal of his grievances within a period of 2 months from the date of taking decision in the matter.

6. Copy of this order alongwith the Paper Book be transmitted to Respondent No.5 by the Registry for which the respondents' counsel undertakes to deposit the required cost within a period of one week.



(Jaya Das Gupta)
Administrative Member



(A.K. Patnaik)
Judicial Member