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CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No. OA 350/105/2017

Date of order : 15.2.2017

Present: Hon'ble Mr.A.K.Patnaik, Judicial Member  
Hon'ble Ms.Jaya Das Gupta, Administrative Member

**ARIJIT PARUI  
& 15 OTHERS.**

...APPLICANT

VERSUS

1. Union of India, service through  
The General Manager,  
Eastern Railway,  
Fairlie Place,  
Kolkata - 700001.
2. The Chairman,  
Railway Board,  
Rail Bhawan,  
New Delhi -110001.
3. The Chairperson,  
Railway Recruitment Cell,  
C.R.Avenue,  
Kolkata - 700012.
4. The Chief Personnel Officer,  
Eastern Railway,  
Fairlie Place,  
Kolkata - 700001.

...RESPONDENTS.

For the applicant : Mr.A.Chakraborty, counsel  
Ms.T.Maity, counsel

For the respondents: Mr.A.K.Guha, counsel

O R D E R

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

This OA has been filed by the applicant under Section 19 of the A.T. Act, 1985 seeking the following prayers :

*Al*

- a) Selection test for appointment to the post of Goods guard conducted pursuant to notification NO. 01/2016 – GDCE Traffic Department cannot be sustained and therefore the same may be quashed.
- b) An order do issue directing the respondents to conduct written test afresh since earlier written test was vitiated;
- c) Leave may be granted to file this application jointly under Rule 4(5)(a) of CAT (Procedure) Rules, 1987.

2. Heard Mr.A.Chakraborty, Id. Counsel along with Ms. T.Maiti, Id. Counsel appearing for the applicants and Mr.A.K.Guha, Id. Counsel appearing for the respondents.

3. Mr.Chakraborty submitted that the applicants has made a representation on 20.12.2016 addressed to respondent No.3. He also submitted that till date no response has been received from the said departmental authority.

4. As Mr.Chakraborty has submitted that a representation is filed by the applicant and the same is still pending before the departmental respondents for consideration, we think it proper to dispose of this OA without waiting for a reply. We therefore dispose of this OA by directing the respondent No.3 to consider the representation, if preferred by the applicant on 20.12.2016 as per Annexure A/4 to the OA and the same is pending consideration and dispose it ~~of~~ — within 4 weeks from the date of receipt of this order.

5. Though we have not expressed any opinion on the merit of the matter and all the points to be raised in the representation to be made are kept open for the said respondent No.3 to consider the same as per the rules and regulations in force, still then we hope and trust that after such consideration if the applicants' grievance is found to be genuine then expeditious steps may be taken within a further period of 3 months from the date of such consideration to redress his grievance by fixing his seniority at appropriate level.

6. As prayed for by Mr.Chakraborty, a copy of this order along with the paper book of this OA be transmitted to respondent No.3 by Speed Post for which he undertakes to deposit the cost. A free copy of this order be handed



over to Mr.Guha, Id. Counsel for the departmental respondents, who is present in the Court today.

7. With the aforesaid observation and direction the OA is disposed of.

  
(JAYA DAS GUPTA)  
MEMBER (A)

in

  
(A.K.PATNAIK)  
MEMBER (J)