

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH



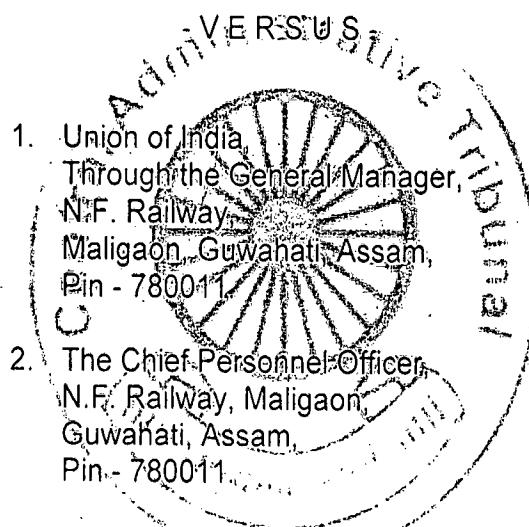
No. O.A. 350/01536/2017

Date of order: 20.11.2017

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

Jayanta Barman,  
Son of Manindra Nath Barman,  
Aged about 42 years,  
Working as Junior Engineer (Carriage & Wagon)  
Under Additional Division Mechanical Engineer (DEMU)/  
Siliguri Junction, N.F. Railway, Katihar Division,  
Residing at Quarter No. 104/A, Central Colony,  
Gate Bazar, P.S. Bhaktinagar, New Jalpaiguri,  
District : Jalpaiguri, Pin - 734 007.

... Applicant



1. Union of India  
Through the General Manager,  
N.F. Railway,  
Maligaon, Guwahati, Assam,  
Pin - 780011.
2. The Chief Personnel Officer,  
N.F. Railway, Maligaon,  
Guwahati, Assam,  
Pin - 780011.
3. The Divisional Railway Manager (P),  
Katihar Division,  
N.F. Railway, Katihar,  
Pin - 854 105.
4. The Sr. Divisional Mechanical Engineer,  
Katihar Division, N.F. Railway, Katihar,  
Pin - 854 105.
5. The Sr. Divisional Personnel Officer,  
Katihar Division,  
N.F. Railway, Katihar,  
Pin - 854 105..
6. The Divisional Personnel Officer,  
Katihar Divison,  
N.F. Railway,  
New Jalpaiguri, Pin - 854 105.
7. The Chief Medical Superintendent,  
NJP Railway Hospital,  
N.F. Railway, Post - Bhaktinagar,  
District - Jalpaiguri,  
Pin - 734 007.

## .. Respondents

For the Applicant : Mr. B. Chatterjee, Counsel  
 For the Respondents : None

**O R D E R (Oral)****Per Ms. Manjula Das, Administrative Member:**

Ld. Counsel for the applicant are present and heard.

2. The present Original Application has been filed under Section 19 of the AT Act, 1985 seeking the following reliefs:-

"(a) An order quashing and/or setting aside the impugned order dated 25.9.2017 issued by the concerned respondent authorities directing the applicant to undergo his remaining training as Apprentice Junior Engineer (Carriage & Wagon) which is in absolute contravention of the Opinion of the concerned medical authorities of the respondent Railways.

(b) An Order directing the respondent authority to allot and/or absorb the applicant in C/1 or C/2-category post while ensuring his protection of pay in tandem with his original posting as per the specific recommendation of the concerned medical authorities of the respondent authorities;

(c) An order directing the respondent authorities to immediately release the due salaries and other allied dues of the applicant for the period commencing from November, 2016 to September, 2017 when the applicant was in the Railway Sick List and treating the applicant as in Service for all purpose;

(d) An order directing the official respondents to produce/cause production of all records relating to the subject matter of the case;

(e) Any other order or orders as this Tribunal may deem fit and proper."

3. Service is complete. None appears for the respondents.

4. Ld. Counsel for the applicant submits that the purpose of the applicant will be served if a direction is issued on the respondents No. 5 to dispose of his representation dated 4.10.2017 (Annexure "A-25" to the O.A.).

5. Hence, respondent No. 5 is directed to pass a reasoned and speaking order after considering the representation, if received, within three months of receipt of a copy of this order keeping in mind the Railway Doctor's advice dated 16.2.2017 and the decision arrived at is to be conveyed to the applicant within one week thereafter. Till then the communication dated 25.9.2017 by which the

applicant was directed to complete the remaining training of App. JE/C&W will be kept in abeyance.

6. The O.A. is, accordingly, disposed of. No costs.

7. It is made clear that I have not entered into the merits of the matter and all points are left open for consideration of the concerned respondent No. 5.

(Manjula Das)  
Judicial Member

SP

