

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

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O.A/350/1537/2017
M.A/350/878/2017

Date of Order: 30.11.2017

Coram : Hon'ble Manjula Das, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

An application U/R 4(5) (a) of CAT (Procedure) Rules, 1987
And

1. Kartick Biswas, son of Late Rabindranath Biswas, aged about 41 years residing at Village Gopalpur (Old), Post Office – Pritinagar, District-Nadia, Pin 741247, West Bengal.
2. Gopal Chandra Das, son of late Prasanta Kumar Das, aged about 45 years, residing at L/71/B, Narkeldanga Railway Quarter, Kolkata 700011.

---Applicants

Versus

- (1) Union of India, Service through the General Manager, Eastern Railway Fairlie Place, Kolkata 700001
- (2) The Senior Divisional Personnel Officer, Eastern Railway, Sealdah, Kolkata 700009

--- Respondents

For the Applicant(s) : Mr. A. Chakraborty, Counsel

Ms. P. Mondal, Counsel

For the Respondent(s) : None

ORDER (Oral)

Per Mrs. Manjula Das, Judicial Member:

Ld. counsel Mr. A. Chakraborty along with Ms. P. Mondal appears for the applicant. None for the respondents.

2. The O.A/350/1537/2017 has been filed by the applicant seeking reliefs for directing respondent to fix the pay of the applicants at par with Goods Driver with running allowance with effect from date of appointment and also to grant arrears.

3. The M.A has been filed by the applicant praying for leave to file an original application under Rule 4(5) (a) of the Administrative Tribunal Rules which is considered and allowed.

4. It is seen from the perusal of Annexure A-3 to the O.A that the representation dated 20.09.2017 has been preferred by the applicant to Respondent no. 2 which reportedly is pending at the level of the respondent authority.

5. Hence, we disposed of this O.A at the admission stage itself by directing the Respondent No. 2 to pass a reasoned and speaking order on the representation of the applicant in Annexure A-3 to the O.A within a period of 6 weeks from the date of this order and to convey decision arrived at within 1 week thereafter to the applicant.

6. We make it clear that we have not gone into the merit of the matter and the respondents are free to decide on all issues as per Rules and Regulations of the respondent authorities.

7. Ld. counsel for the applicant draws our attention to the Hon'ble High Court order dated 02.04.2014 in WPCT no. 208 of 2007.

8. The respondent authorities, while deciding on the representations, may examine the scope of applicability of the same with respect to the representations in this regard.

9. Both the OA/350/1537/2017 and MA/350/878/2017 stands disposed of. No costs.

(Dr. Nandita Chatterjee)

Member (A)

(Manjula Das)

Member (J)