

LIBRARY

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

No. O.A. 350/01591/2017

Date of order: 3.9.2018

Present :

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

Suprovat Deb,
Son of Sushil Deb,
Residing at 1 No. Dabgram Colony,
Plot No. – 208, Siliguri,
Post Office – Rabindra Sarani,
Darjeeling – 734 006.

.. Applicant

- VERSUS -

1. Union of India,
Ministry of Railways,
Through the Minister of Railway,
Having Office at 256-A,
Rail Bhavan, Raisina Road,
New Delhi – 110 001;
2. General Manager,
North East Frontier Railway,
Headquarters Office,
New Maligaon, Guwahati, Assam,
Pin – 781012;
3. The Chairman,
The Railway Recruitment Board,
Siliguri, DBC Road, Siliguri,
Post Office – Siliguri Town,
Darjeeling – 734 004.
4. The Central Public Information Officer (CPIO),
Railway Board, Room No. – 5, RTI Cell,
Rail Bhawan, Rafi Marg,
New Delhi – 110 001.
5. The Public Information Officer and
Assistant Secretary,
Siliguri Railway Recruitment Board,
DBC Road, Siliguri,
Post Office – Siliguri Town,
Darjeeling – 734 004.

hal

.. Respondents

For the Applicant : Mr. D. Paul, Counsel

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

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

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

- "(a) An order directing the Respondent No. 2 & 3 to forthwith issue letter of appointment to the applicant being eligible for the post;*
- (b) An order directing the Respondent Nos. 2, 3 and 4 to consider the representations made by the applicant forthwith;*
- (c) An order directing the Respondent No. 2, 3 and 4 to transmit and produce all relevant documents of the case in relation to the said recruitment before this Learned Tribunal so that conscionable justice may be rendered to the applicant;*
- (d) Prohibition prohibiting the Respondent Nos. 2 and 3 from issuance of further letter of appointment with regard to the said recruitment and to any authority or authorities related thereto till disposal of the instant application;*
- (e) To make the Rule absolute after thoroughly hearing all the concerned parties.*
- (f) To pass such other order or orders and/or further orders as your Lordship may deem fit and proper for the ends of justice."*

2. Ld. Counsel for the applicant is present. None for the respondents.

3. Ld. Counsel for the applicant submits that, in response to notification No. CEN-03/2012, the applicant had participated in the common preliminary examination and Mains (Stage II). He had cleared both examinations and had appeared in the aptitude test for the post of Assistant Station Master but his name did not find mention in the list of qualifying candidates. That, upon seeking information under RTI Act, 2005, the applicant obtained certain information and on the basis of the same, had represented to the Chairman / Secretary of Siliguri Railway Recruitment Board praying for appointment in the post of Goods Guard as he had also applied for the post of Goods Guard. But his representation dated 30.11.2016, followed by a number of e-mails of January, 2017, had not evoked any response from the respondent authorities. Consequently, the applicant has prayed for, both in his relief and as well during the oral submissions of his Ld.

hah

Counsel, that a direction be issued on the competent respondent authority to respond to the representations within a specific time frame.

4. Accordingly, without entering into the merits of the case, we hereby direct the competent respondent authority, namely, respondent No. 3, who is the Chairman, Railway Recruitment Board, Siliguri, to examine the contents of the application, if received, at his end and to issue a reasoned and speaking order in accordance with law within a period of 4 weeks thereafter. The decision arrived at is to be communicated forthwith to the applicant.

5. With this, the O.A. is disposed of. There will be no orders on costs.

(Dr. Nandita Chatterjee)
Administrative Member



(Bidisha Banerjee)
Judicial Member

SP