

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

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O.A. NO. 350/1597/2017

Dated : 22.11.2017

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

Pradip Kumar Mishra,
Son of Late S. Mishra,
Aged about 60 years,
Of House No. 15, (3rd Floor),
P.K. Chatterjee Street, Tiffin Bazar, Liluah,
Howrah – 711 204.

.... Applicant.

Versus

1. Union of India
Service through the General Manager,
Eastern Railway,
17, N.S. Road, Fairlie Place,
Kolkata – 700 001.
2. The Chief Personnel Officer,
Eastern Railway,
17, N.S. Road, Fairlie Place,
Kolkata – 700 001.
3. Divisional Railway Manager,
Howrah, at Post Howrah,
Howrah – 711 101.
4. Senior Divisional Personnel Officer,
Howrah/ E. Rly., at Post Howrah,
Howrah – 711 101.
5. Sr. Divisional Electrical Engineer
(OP)/ Howrah, At Post Howrah,
District Howrah – 711 101.
6. Sr. Divisional Railway Manager,
Malda/ E. Rly. At Post Malda,
District Malda, PIN – 732 101.

.... Respondents.

[Signature]

For the applicant : Mr. A.K. Gayen, Counsel

For the respondents : Mr. P. Kumar, Counsel

ORDER (Oral)

Manjula Das, Judicial Member

The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

"8.(a) To direct the respondents to cause them to act in accordance with RBE No.137 of 2009 dated 24.07.2009 by way of granting the benefits of stepping up or pay in favour of the applicant forthwith like Sri S.K. Ganguly.

(b) Direction be made upon the respondents by way of complying with the order dated 07.12.2011 passed in WPCT 224 of 2010 against which SLP has been dismissed as a result grant stepping up of pay to the applicant at par with Sri S.K. Ganguly with all consequential benefits alongwith interest of 10% p.a. on the arrears on the basis of the order of the Ld. Tribunal dated 28.08.2015 passed in O.A. No. 977 of 2015.

(c) Direction be made upon the respondents more particularly the respondent no. 2 to consider the representation dated 25.08.2017 being annexure 'A-10' within a specified period in the light of the earlier orders of the Learned Tribunal dated 30.06.2015, 28.08.2015 and 07.01.2016 being annexure 'A-7' of this application;

(d) Any other order(s) as the Hon'ble Tribunal deems fit and proper."

2. I have heard the Ld. Counsel for both sides and perused the pleadings and materials placed before me.

3. Ld. Counsel the applicant Mr. A.K. Gayen submits that the applicant has filed representation to the authorities on 28.08.2017(Annexure A/9) ventilating his grievances as stated in this O.A., but the authorities did not consider his case till date. Finding no other alternative he has approached this Tribunal by filing this O.A. seeking the aforesaid reliefs.

4. Mr. Gayen, Ld. Counsel for the applicant further submits that the applicant would be satisfied for the present if a direction is given to the respondent

authorities more particularly to the Respondent No. 2 to consider and dispose of the representation of the applicant dated 28.08.2017(Annexure A/9 to the O.A.) with a reasoned and speaking order within a specific time frame.

5. Accordingly, the respondent authorities, more particularly the Respondent No. 2 is directed to consider and dispose of the representation of the applicant dated 28.08.2017 (Annexure A-9) as per rules, if such representation is still pending for disposal and pass a reasoned and speaking order on the same within a period of 3 months from the date of receipt of this order. The decision so arrived at shall be communicated to the applicant forthwith.

6. With the above observations and directions the O.A. stands disposed of.

(Manjula Das)
Member (J)

drh