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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

O.A. No. 350/01603/2016

PARTICULARS OF THE APPLICANT:

Rajendra Majhi, son of late D. Majhi, aged about 56 years, residing at
4D Lluit Apartment, Uzan Bazer, E.C. Road, Post Office - Gohati - 781001,
Dist - Kamrup Assam

..... APPLICANT

V E R S U S -

- i) The Union of India through the General Manager, East Coast Railway, Bhabanewsar, Orissa. 759/22
- ii) The Chief Commercial Manager, East Coast Railway, Bhabaneswar, Orissa. 759/22
- iii) Chief Commercial Manager, South Eastern Railway, Garden Reach Road, Kolkata 700043.

..... RESPONDENTS

WAL

No. O.A. 350/01603/2016

Date of order: 25.4.2017

Present : Hon'ble Mr. A.K. Patnaik, Judicial Member

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : None

ORDER (Oral)

Heard Mr. A. Chakraborty, Ld. Counsel appearing for the applicant.

2. This OA has been filed under Section 19 of the Administrative Tribunal Act, 1985 seeking the following reliefs:-

"i) Office Order No. CCM/474/Pt-11/Debit Clearance/1885 dated 29.7.2016 issued by SCM (C&PS) on behalf of CCM/East Coast Railway cannot be sustained and same may be quashed.

ii) An order do issue directing CCM/S.E. Railway, to provide documents to the applicants upon which long standing debits were raised."

3. Mr. Chakraborty submitted that the applicant was appointed as Catering Manager in the year 1990 in the South Eastern Railway. Thereafter he joined as Catering Inspector in the East Coast Railway in 2002. He is at present working as Executive/IRCTC/Eastern Zone, Guwahati. He was absorbed in Indian Railway Catering and Tourism Corporation. Subsequently, he received a letter dated 29.7.2016 issued by the CCM, East Coast Railway addressed to Group General Manager, IRCTC, East Zone the subject matter of which is "Table Reconciliation of long standing catering debits". In the said letter dated 29.7.2016 an outstanding amount of Rs. 24,28,098/- has been shown to be due against him. He preferred a representation dated 29.7.2016 before the Chief Commercial Manager (C&PS), East Coast Railway, Bhubaneswar wherein he wanted to know the information about his debit before going for a table reconciliation and for preparing a reply. The said representation dated

29.7.2016 is still pending consideration.

4. On being questioned regarding the maintainability of this O.A., as because in my considered opinion the office order clearly stipulates that the applicant should go and meet the authority concerned, Mr. Chakraborty submits that no documents were supplied to the applicant and, therefore, it will be a futile exercise if the applicant goes and meets the authorities. On the other hand, Mr. Chakraborty prayed liberty of this Tribunal to make a comprehensive representation to the respondent No. 2 and also expressed the willingness of the applicant to go and meet the respondent No. 2 provided he is allowed to inspect the documents basing upon which an amount of Rs. 24,28,098/- is being shown as outstanding against the applicant.

5. I do not think that it would be prejudicial if such an order is passed and the O.A. is disposed.

6. Therefore, without waiting for the reply, I dispose of this O.A. by granting liberty to the applicant to make a comprehensive representation addressed to the respondent No. 2 and meet him personally at his office, and if any such representation is preferred by the applicant, then the respondent No. 2 may examine the matter in entirety and in case the applicant satisfies the respondent No. 2 regarding the importance of those documents which he wants to inspect then the same may be shown to the applicant and if the applicant is willing then he may take extract from those documents. Till such opportunity is afforded to the applicant, no coercive action will be taken against him.

7. The applicant is at liberty to annex copy of this order along with the representation and serve the same upon the respondent No. 2 within a period of 4 weeks from the date of receipt of a copy of this order.



8. I make it clear that I have not gone into the merits of the matter and all points are kept open for the respondents to consider the same as per the rules and regulations in force.

9. A copy of this order along with paper book be transmitted to the respondent Nos. 2 by speed post for which Mr. Chakraborty undertakes to deposit necessary cost in the Registry by Friday.

10. With the aforesaid observation and direction, the O.A. is disposed of at the admission stage.

(A.K. Patnalk)
Judicial Member

SP