



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A 350/113/2018

Date of Order: 24.07.2018.

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

Probal Chatterjee, son of Late Abhoyaya Charan Chatterjee, aged about 52 years, working as Cabin Master of Bainchi Railway Station, under Eastern Railway, Howrah Division, residing at Vill. Bantika Roy Para, P.O Bainchi, Pandua, District - Hooghly, Pin 712134.

--Applicant.

-Versus-

1. Union of India, through the General Manager, Eastern Railway, 17, N.S Road, Fairlie Place, Kolkata - 700001.
2. Divisional Railway Manager, Eastern Railway, Howrah Division, Howrah - 711101.
3. Senior Divisional Personnel Officer, Eastern Railway, Howrah Division, Howrah - 711101.

---Respondents.

For The Applicant(s): Mr. T. K Biswas, Counsel

For The Respondent(s): Ms. C. Mukherjee, Counsel

ORDER (ORAL)

Per: Dr. Nandita Chatterjee, Member (A):

Ld. counsel for the applicant and respondents are present.

2. Ld. counsel for the applicant submits that this O.A has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

- “ a) An order directing the respondents to give financial upgradation under MACP scheme in favour of the applicant because his juniors namely, Mohammad Ansari and Pradip Bhattacharjee were given the said benefits, so that the applicant is entitled to the same without any hesitation.
- b) An order directing the respondents to consider the representation dated 12.12.2017 (Annexure A-6) within the specific period and thereafter release the financial

upgradation under MACP Scheme in favour of the applicant;

c) To pass any such other or further order or orders as to this Hon'ble Tribunal may deem fit and proper."

3. Ld. counsel for the applicant submits that the representation dated 12.12.2017, annexed at Annexure A-5 to the O.A, has been preferred before the competent respondent authority, but the same is pending for consideration till date, and the applicant's purpose would be served if a direction is issued to the authorities to dispose of the pending reference within a specific time frame.

Ld. counsel for the respondents does not object to the submission.

4. Accordingly, without entering into the merits of the case, we hereby direct the Respondent No. 2, who is also the Divisional Railway Manager, Eastern Railway, Howrah Division, to dispose of the pending representation of the applicant within a period of 2 weeks from the date of receipt of a copy of this order. We further direct the Respondent No. 2 to issue a reasoned and speaking order in the light of the extant rules and regulations as applicable to the respondent authorities, after giving an opportunity of hearing to the applicant. The decision so arrived at should be communicated to the applicant forthwith.

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

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)