



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH.

O. A. No. 350/ 1782 of 2017.

Dipak Kumar Barick, son of late
Narendra Nath Barick, aged about
55 years, working as Diesel
Mechanical Helper, Office of the
Beliaghata Diesel Shed, Eastern
Railway, Sealdah, residing at P.O. &
Vill. Hotar, P.S. Mograhat, Dist.
South 24 Parganas, Pin : 743 610.

...Applicant.

-Vs-

1. Union of India through the General Manager, Eastern Railway, 17, N. S. Road, Kolkata- 700 001.
2. The Chief Personnel Officer, Eastern Railway, 17, N. S. Road, Kolkata- 700 001.
3. The Divisional Railway Manager, Eastern Railway, Sealdah Division, Sealdah, Kolkata-700 014.

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4. The Senior Divisional Personnel
Officer, Eastern Railway, Sealdah
Division, Sealdah, Kolkata- 700
014.

... Respondents.

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

No.O.A.350/1782/2017

Date of order : 24.05.2018

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

For the applicant : Mr. S.K. Datta, counsel

For the respondents : Mr. M.K. Bandyopadhyay, counsel

O R D E R (ORAL)

A.K. Patnaik, Judicial Member

This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

"8(a) An order directing the respondents to consider the case of the applicant pursuant to his applications under LARGESS and after holding that non-consideration of the said applications is arbitrary, discriminatory and unlawful.

(b) An order directing the respondents to take steps for consideration of the retirement of the applicant under LARGESS and for employment of the son of the applicant Shri Pranay Barick within a period as to this Hon'ble Tribunal may seem fit and proper.

(c) An order directing the respondents to produce/ cause production of all relevant records.

(d) Any other order or further order/ orders as to this Hon'ble Tribunal may seem fit and proper."

2. Heard Mr. S.K. Datta, Id. counsel for the applicant. Mr. M.K. Bandyopadhyay, Id. counsel for the official respondents is also present and heard.

3. Mr. Datta, Id. counsel for the applicant submitted that the applicant made a prayer to the respondent authorities for his appointment under LARGESS in the prescribed format giving details on 17.03.2017(Annexure A/5), but has not

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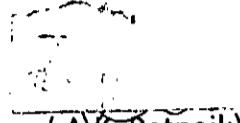
received any response from the respondents till date. Mr. Datta further submitted that the applicant would be satisfied if a direction is given to the Respondent Nos.2,3 and 4 to consider his prayer for appointment under LARGESS as per rules/guidelines in force, within a specific time frame.

Though no notice has been issued to the respondents, I think it would not be prejudicial to either of the parties if such prayer of the Id. counsel for the applicant is allowed.

4. Accordingly the Respondent Nos.2 or 3 or 4 i.e. the Chief Personnel Officer, Eastern Railway, Kolkata or the Divisional Railway Manager, Eastern Railway, Sealdah Division, Kolkata or the Sanctioning Divisional Personnel Officer, Eastern Railway, Sealdah Division, Kolkata is directed to consider the prayer of the applicant for appointment under LARGESS dated 17.03.2017(Annexure A/5) as per rules and guidelines governing the field and communicate the decision to the applicant by way of a well reasoned order within a period of six weeks from the date of receipt of a copy of this order. After such consideration, if the applicant is found entitled to the benefits as claimed, the respondent authorities shall grant such benefits to him within a further period of six weeks from the date of taking decision in the matter.

5. It is made clear that I have not gone into the merits of the case and all the points raised by the applicant are kept open for consideration by the respondent authorities as per rules and guidelines governing the field.

6. With the above observations and directions, the O.A. is disposed of. No order as to cost.
7. A copy of this order be handed over to the Id. counsel for both sides.


(A.K. Patnaik)
Judicial Member

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