



**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA**

**No. O.A. 350/01885/2015**

**Date of order: 20.9.2018**

**Present : Hon'ble Ms. Manjula Das, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member**

1. Kamlesh Kumar,  
Son of Ram Briksh Lal,  
Aged about 42 years,  
Residing at Dak Bunglow Road,  
P.O. + P.S. – Mokama,  
District – Patna, Pin – 803 302.
2. Sushil Kumar Sharma,  
Son of Late Bhim Sen Sharma,  
Aged about .....years,  
Residing at Chhoti Kesopur,  
Jamalpur, District Munder, Bihar.
3. Krishna Kumar Ram,  
Son of Late Bhuteshwar Ram,  
Age about 38 year,  
Residing at Banikeshopur,  
Nakkinagar, Jamalpur,  
District – Munger, Bihar.
4. Vijay Kumar,  
Son of Devendra Ray,  
Aged about 38 years,  
Residing at Village Bhousa,  
Post Office Shahpur Undi,  
P.S. – Patury,  
District – Samastipur,  
Bihar, Pin – 848504.
5. Sudhir Kumar,  
Son of Ramo Tarpaswan,  
Aged about 33 years,  
Residing at Village – Walipur,  
Post – Jamalpur,  
District – Munger,  
Bihar, Pin – 811214.
6. Surendra Kumar,  
Son of Surya Prasad,  
Aged about 42 years,  
Residing at Village – Saketnagar,  
Post – Surajgraha,  
District Lakhisarai, Pin – 811106.
7. Dharmvir Kumar,  
Son of late Mamal Kishor Pd,  
Aged about 37 years,  
Residing at Village – Shivnor,

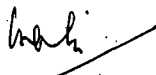
P.O. – Shivnor,  
P.S. – Mokama,  
District – Patna, Pin – 803 302.

8. Pramod Kumar,  
Son of Mahavir Pandit,  
Aged about 36 years,  
Residing at Sammaspur,  
Post Office – Fatuha,  
District – Patna.
9. Shiv Charan Meena,  
Son of Sukhram Meena,  
Aged about 41 years,  
Residing at Village & P.O. – Bichhochh  
The Bamanwas,  
Dist. – Sawai Madhapur,  
Rajasthan – 322214.
10. Hari Moha Meena,  
Son of Giriraj Prasad Meena,  
Aged about 41 years,  
Residing at Vill – Bhawerki The Bamanwas,  
Dist – Sawai Madhopur (Raj),  
Rajoshtan – 322214.
11. Chandra Prakash,  
Son of Suresh Ch. Yadav,  
Aged about 38 years,  
Residing at Vil. – Sarari,  
P.O. – Khagaul,  
Dist. – Patna, Bihar – 801105.
12. Sujit Mazumder,  
Son of Harinaroyan Mazumder,  
Aged about 33 years,  
Residing at Village – Chikanpara,  
P.O. – Thakur Nagar,  
Dist. – 24 PGS (N), Pin – 743 287.
13. Apurba Nandi,  
Son of Rabindra Nath Nandi,  
Aged about 36 years,  
Residing at 25, Krishna  
Kalitala Street, Sutragarh,  
P.O. – Santipur,  
District – Nadia, Pin Code – 741404.

... Applicant.

Versus

1. The Union of India,  
Through General Manager,  
Eastern Railway,  
Kolkata – 700 001.



2. Chairman,  
Railway Recruitment Cell,  
56, C.R. Avenue,  
Kolkata – 700 012.

3. The Assistant Personnel Officer,  
Recruitment, Railway Recruitment Cell,  
56, C.R. Avenue,  
Kolkata – 700 012.

... Respondents.

For the Applicants : Mr. A. Chakraborty, Counsel

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

**ORDER (Oral)**

**Per Dr. Nandita Chatterjee, Administrative Member:**

Ld. Counsel for the applicant and respondents are present and heard.

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

*"(a) Panel was prepared in violation of Rules and as such panel may be quashed.*

*(b) An order do issue directing the respondents to recommend the name of the applicants for appointment in Group-D post in the Eastern Railway and he may be posted against the vacancies which were not filled up for not joining of the some empanelled candidates.*

*(c) Leave may grant to file this Original Application jointly under Rule 4(5)(a) of the CAT Procedure Rules, 1987."*

3. The respondents, citing orders in O.A. No. 369 – 404 of 2013 with O.A. 728, 1265, 1266 of 2013 in their support, claimed that similar prayers has been dismissed in such O.A.s.

4. Ld. Counsel for the applicant, on the other hand, cited before us a common order dated 8.3.18 in O.A. No. 520 of 2016 to O.A. 542 of 2016 (23 O.A.s in all) whereby the Tribunal had disposed of the Original Applications with certain direction on the respondents as follows:-

*"33. After taking into entire conspectus of the case, we direct the respondents to empanel the applicants in view of the order passed by this Tribunal on 17.11.2015 in O.A. Nos. 1132/2012, 724/2013 and 695/2013 depending upon the vacancies exists at that relevant period i.e.*

*hsh*

*04.06.2013 under Employment Notice No. 01-06 as per merit and consider the case of the applicants with due verification of the status of the applicants in regards to the participation in the proceedings of O.A. Nos. 1132/2012, 724/2013 and 695/2013 and implement the order dated 17.11.2015 accordingly as per law within a period of four months from the date of receipt copy of this order and issue offer of appointment in accordance with law."*

4. Ld. Counsel for the applicant further submits that, as the applicant is similarly circumstanced, the same may be disposed of by directing the respondents to examine the same in the light of aforesaid orders of the Tribunal.

5. Accordingly, with the consent of the parties and without entering into the merits of the matter, we direct the applicants to file comprehensive representations to the competent respondent authority citing such judgments of the Tribunal in his support as submitted during the hearing, within a period of four weeks from the date of receipt of this order. Once received, the competent respondent authority will thereafter examine the said representations and, if the applicants are similarly circumstanced, pass an order according to law particularly in the light of the common order dated 8.3.2018 in O.A. No. 520-542 of 2016 within 12 weeks from the date of receipt of a copy of this order.

6. With this, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)  
Administrative Member

(Manjula Das)  
Judicial Member

SP