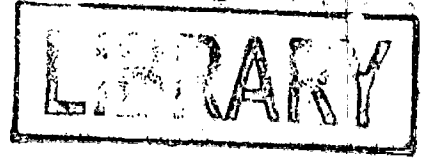


CENTRAL ADMINISTRATIVE TRIBUNAL
KOKATA BENCH, KOLKATA



MA/350/00149/2015

With

MA/350/00150/2015

With

CPC/350/00034/2015

[O.A. -2358/2010]

Date of orders : 21st Nov., 2017

CORAM

HON'BLE MRS. BIDISHA BANERJEE, MEMBER (J)
HON'BLE JAYA DAS GUPTA, MEMBER (A)

Md. Imran Raja

.....Applicant

By Advocate : Mr. A.K.Guha/Mr. S.K.Das

Versus

1. Union of India through General Manager, 17, Netaji Subhas Road, Kolkata - 700001.
2. The Divisional Railway Manager [Personnel], Eastern Railway, Asansol, Burdwan, Pin - 713201.
3. The Senior Divisional Personnel Officer, Eastern Railway, Asansol Divisional Office, Asansol, Burdwan, Pin - 713301.
4. The Divisional Railway Manager [Personnel], C.S.T.M., Mumbai, CST-Pin400001.

..... Respondents.

By Advocates: Mr. A.P.Deb

ORDER

Per Bidisha Banerjee, Member (J):- Heard learned counsels for the parties.

2. The order passed in OA - 2358/2010 is as under :

"The applicant, as we find, has also objected several times to such reversion without his consent, which was never disposed of. The Ld. Counsel does not object to grant of protection of pay scale. In such view of the matter the OA is disposed of with consent of the parties with a direction to grant appropriate protection of pay and pay scale w.e.f. the date of transfer of the applicant to Asansol. Appropriate orders be passed within three months with arrears. No costs."

3. Assailing the said order, the respondents preferred WPCT - 133 of 2014

before the Hon'ble High Court at Kolkata alleging that although no consent was given, the Tribunal's order recorded their consent, and therefore, the Hon'ble High

Court having observed that the question whether the petitioner gave consent to passing of the order is to be examined first by the Tribunal, dismissed the WPCT with liberty to the petitioners/respondents for approaching the Tribunal by filing appropriate application stating that the Tribunal passed the order wrongly recording their consent . Therefore, the word "with consent of the parties" appearing at 4th line from bottom of the last para of the judgment is deleted. The Registry is directed to issue fresh orders to the applicant.

4. In view of the fact that no other case is made out, the MAs are disposed of.
5. The CPC/350/00034/2015 is adjourned.
6. List it for hearing on 21/12/2017

[Jaya Das Gupta]
Member (Admn.)
mps/-

[Bidisha Banerjee]
Member (Judicial)