



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

No. O.A. 350/00137/2018

Date of order: 20.4.2018

Present: Hon'ble Dr. Nandita Chatterjee, Administrative Member

Sumi Sheet,
Daughter of Sri Ramesh Sheet,
Village – Bartala, P.O. – Tajpur,
Police Station – Nandigram,
District – Purba Medinipur,
Pin – 721631.

.. Applicant

Vs.

1. The Union of India, ~~Stray~~,
Service through the Secretary,
Railway Board,
Ministry of Railways, Rail Bhawan,
New Delhi – 1.
2. The General Manager,
South Eastern Railway,
11, Garden Reach Road,
Kolkata – 700 043.
3. The Divisional Railway Manager,
Kharagpur Division,
South Eastern Railway,
DRM Bhaban, P.O. – Kharagpur,
District – Purba Medinipur,
Pin – 721 301.
4. The Competent Authority (Dy. Chief Engineer),
Deshapran – Nandigram Special Railway Project,
South Eastern Railway, 11, Garden Reach Road,
Kolkata – 700 043.

.. Respondents

For the Applicant : Mr. G. Guria, Counsel

For the Respondents : Mr. B.P. Manna, Counsel

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Ld. Counsel for the applicant is present and submits that service has been ensured. Ld. Counsel for the respondents files his memo of appearance.

2. Ld. Counsel for the applicant submits that a portion of land of the applicant was acquired for Deshapran-Nandigram Special Railway Project along with the land of her grandmother in the same plot vide notification of Railway Board dated 21.10.2010. Ld. Counsel for the applicant also submits that despite a representation preferred on 3.12.2015 (Annexure "A-5" to the O.A.), the matter has not been responded to by the authorities.

3. Ld. Counsel for the respondents, who is also present argues that the applicant has not furnished any document substantiating her claim as a land owner whose land has been acquired by the said notification.

4. Ld. Counsel for the applicant therefore submits that the applicant be given liberty to furnish a fresh representation to the concerned respondent authority along with documents, which will prove the land ownership of the applicant so acquired by the referred notification.

5. Hence, without entering into the merits of the case, I accord liberty to the applicant to submit such a representation along with proof of land ownership to respondent No. 4, who is also the competent authority (Dy. Chief Engineer, Deshapran-Nandigram Special Railway Project, S.E. Railway) within a period of 4 weeks from the date of receipt of a copy of this order.

6. Once received, the concerned respondent No. 4 will examine the documents produced as evidence to the land ownership and dispose of the same by a reasoned and speaking order in accordance with rules and regulations within a period of 6 weeks from the date of receipt of the representation. The respondent No. 4, while disposing of the representation, may offer an opportunity to the applicant to be heard.

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7. The decision arrived at should be conveyed immediately to the applicant and in case a favourable decision is arrived at, relief may be granted within 8 weeks from the date of taking of the decision.
8. The O.A. is, accordingly, disposed of.



(Dr. Nandita Chatterjee)
Administrative Member

SP

