

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No. O.A. 350/209/2018

Date of Order: 26.02.2018

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

Sri Anupam Mukherjee, son of late Gopal
Chandra Mukherjee working as Technician
Grade-III CWM/DLCF/DKAE/Eastern
Railway, and residing at Vill. Surya Sen Nagar
P.O. Dankuni, Dist- Hoogly,

.....Applicant.

-versus-

1. The Union of India through the General Manager, Eastern Railway, 17, N.S. Road, Kolkata- 700 001.
2. The Chief Personnel Officer, (Administration), Eastern Railway, Fairlie Place, Kolkata- 700 001.
3. The Senior Personnel Officer, BGB, Eastern Railway, Fairlie Place, Kolkata- 01.
4. The Senior Divisional Personnel Officer, Eastern Railway, Howrah- 711201.

.....Respondents.

5. Sri Subir Kumar Dey, working as Technician Grade-II (Electrical/Mechanical) under Sr. DPO/E.Rly/HWH Division.

.....Pvt. Respondent.

For the Applicant : Mr. N. Roy, Counsel

For the Respondents : Mr. PB Mukherjee, Counsel

ORDER (Oral)

Per Ms. Manjula Das, Judicial Member:

Heard Mr. N. Roy, learned counsel appears for the applicant and Mr. PB Mukherjee, learned counsel appears for the respondents.

2. The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“8(a) To issue direction upon the respondents to consider the representation dated 15.09.17 for service benefit and all consequential benefit forthwith.

(b) To issue further direction upon the respondents to give all consequential benefit to the applicant w.e.f. 06.06.15 where the junior has got benefit w.e.f. 06.06.2015 and consequential benefit and other service benefit.

(c) Any other order or orders as the ld. Tribunal deem fit and proper.

(d) To produce connected departmental record at the time of hearing.”

3. The brief fact of the case, as narrated by the ld. Counsel for the applicant, is that the applicant had applied for appointment on compassionate ground on 24.03.2003. The applicant got appointment in Group –‘C’ post under the respondent authority and was absorbed on 16th August, 2004. The applicant was regularized on 17.08.2004 but he has not been given seniority benefit by the respondent authority though he is senior to the private respondents. The private respondent was regularized on 14.09.2006. So according to that, the applicant is entitled to get seniority benefit and consequential service benefit. He made repeated representations to the authority concerned, but till date, the respondent authority has not considered the applicant’s representation. Hence, he has approached before this Tribunal in the present OA. 4. Ld. Counsel for applicant submits that presently the applicant will be satisfied if a direction is

given to the respondent authority to consider and dispose of the representation of the applicant within a time frame.

5. By accepting the prayer made by the Id. Counsel for applicant and without going into the merits of this case, we hereby dispose of the OA by directing the respondent no. 3 to dispose of the representation of the applicant, with a reasoned and speaking order, within a period of 2 months from the date of receipt of this order. The decision so arrived at shall be communicated to the applicant forthwith.

6. The OA is therefore disposed of. No order as to costs.

(Dr. Nandita Chatterjee)
Member (A)

pd

(Manjula Das)
Member (J)

