

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No.O.A.350/00249/ 2016

Date of order : 03.08.2016

Present : Hon'ble Justice Mr. Vishnu Chandra Gupta, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

MALAY KR. GHOSAL & ORS.

VS.

UNION OF INDIA & OTHERS
(E. RLY.)

For the applicant : Mr. B. Chatterjee, counsel
For the respondents : Mr. B.L. Gangopadhyay, counsel

ORDER

Per Justice V.C. Gupta, J.M.

This O.A. has wrongly been mentioned as 'SB' matter in the Cause List though the matter with regard to appointment under the Land Loser's Scheme is cognizable by the Division Bench.

2. Heard Id. counsel for the applicant and Id. counsel for the respondents.

3. The relief(s) claimed in the O.A. are as follows:-

"(a) Leave may be granted to move this application jointly under Rule 4(5)(a) of the CAT Procedure Rules;

(b) An order commanding the respondents, their agents, subordinates and successors to grant compassionate appointment under the Eastern Railway in any Group 'D' post in favour of the applicants under land loser category;

(c) An order directing the respondents, their agents subordinates and successors to produce all records and proceedings so that conscionable justices may be administered by granting the reliefs as prayed for hereinabove;

(d) An order directing the respondents, each one of them their men, agents, staffs, subordinates and associates to certify and transmit to this Hon'ble Tribunal relevant documents pertaining to the present case so that conscionable justice may be administered by directing



them to forthwith appoint the applicants in suitable posts in the pay scale of Grade Pay Rs.1,300 with Pay Band-I;

(e) To pass such other order or orders, direction or directions as Your Lordships may deem fit and proper."

4. From the perusal of the records it appears that the applicants have filed their representations seeking appointments under Land Losers' Scheme. Their representations are at page 19 of the O.A. and onwards. The matter has not yet been disposed of by the authorities.

5. Therefore, we are of the view that without calling for reply from the respondents, the O.A. can be disposed of at the admission stage by issuing direction upon the respondents to consider the grievance of the applicants within a stipulated period.

So far as the relief claimed for appointment is concerned, that cannot be granted at this stage as decision has not been taken by the authorities in this regard.

6. Hence the O.A. is finally disposed of at the stage of admission with a direction upon the respondents to decide the representations of the applicant by passing a reasoned and speaking order within a period of two months from the date of production of a certified copy of this order under intimation to the applicants.

7. There shall be no order as to cost.


(J. Das Gupta)
Administrative Member


(Justice V.C. Gupta)
Judicial Member

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