

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A 350/273/2018
M.A/350/148/2018

Date of Order: 03.07.2018.

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

1. Ganga Mondal, wife of Pratap Rana, 13/6, Rash Behari Sarani, Hakimpura, Siliguri, District - Darjeeling, Pin Code - 734001.
2. Benjamin Khalko, Son of Suleman Khalko, Neelkantha Apartment Kalpana Chawala Sarani, Nabagram, Post Office - Bhaktinagar, District - Jalpaiguri, Pin 734007.

---Applicants

-Versus-

1. The Union of India, service through the General Manager, North Frontier Railway Maligaon, Assam, Pin Code - 781001.
2. The Chief Personal Officer, North Frontier Railway Maligaon, Assam, Pin Code - 781001.
3. The Divisional Railway Manager Katihar, (DRM), District Katihar, Pin Code - 854105.
4. The Senior Divisional Railway Officer, Katihar, District: Katihar, Pin Code - 854105.
5. The Controlling Officer NJP Railway High School, Post Office - New Jalpaiguri, District: Jalpaiguri, Pin 735101.
6. The Headmistress NJP Girls High School, Post Office- Bhaktinagar, District - Jalpaiguri, Pin Code - 734007.

---Respondents.

For The Applicant(s): Mr. A. Sinha, Counsel
Mr. D. N Banerjee, Counsel

For The Respondent(s): None

ORDER (ORAL)

Per: Dr. (Ms.) Nandita Chatterjee, Member (A):

Ld. counsels for the applicant are present. None for the respondents.

2. An M.A bearing No. 350/148/2018, arising out of O.A no. 350/273/2018 has been filed praying for joint prosecution under Rule 4(5)(a) of CAT (Procedure) Rules, 1987. Ld. counsel for the applicant submits that the applicants share common cause of action and common interest as the cause of

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grievance and nature of relief prayed for are the same and hence M.A 350/148/2018 is allowed and is disposed of accordingly.

3. Ld. counsel for the applicants submits that the applicants have prayed for the following specific relief:

“ a) Mandatory order be passed forthwith directing the respondent authorities to allotment of Railway quarter in an around the applicant's school where they are serving as Primary teacher. So that the applicants life and security be secured.
 b) Directing the defendants to pay the applicant No. 1 House rent allowances from July 2005 to till date in respect of applicant No. 1 and from 8.12.1999 to till date in respect of applicant No. 2 to till date forthwith as per provision of law.
 c) Pass such other or further order or orders as to your Lordships may deem fit and proper.
 d) Leave may be granted to file this original application under Rule 4(5)(a) of CAT Procedure Rule, 1987.”

Ld. counsel for the applicants further submits that the applicants have submitted two representations, dated 30.01.2018 and 01.02.2018 respectively, praying for HRA, but the Respondent authorities are yet to consider the same and that the present purpose of the applicants would be served if a direction is issued to the competent respondent authority to dispose of the representations and pass a reasoned and speaking order within a specific time frame.

4. Accordingly, without entering into the merits of the case, we direct the Respondent no. 6, who is the Headmistress, NJP Girls High School, Jalpaiguri District, to examine the representation and to dispose of the same with a reasoned and speaking order and in accordance with rules within a period of 6 weeks from the date of receipt of a copy of this order. The decisions so arrived at are to be communicated immediately to the applicants.

5. With the above directions, the O.A is disposed of. No order as to costs.

(Nandita Chatterjee)
 Member (A)

(Bidisha Banerjee)
 Member (J)