

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

on. 283/17

PARTICULARS OF THE APPLICANTS:

1. Tarun Das Gupta, son of Late Gunendra Nath Das Gupta, aged about 53 years, working as Technician Gr-III Electrical(M), residing at Adarsha Pally, Barrackpur JRR Road, Post Office - Nona Chandam Pukur District 24 Pgs (N), Pin 700 122
2. Babaji Charan Mishra, son of Late Ram Chandra Mishra, aged about 60 years, working as Technician Gr-I Electrical/ AV, residing at 201 Maniktala Main Road, Kolkata 700 054
3. Bipul Chandra Sardar, son of late Basanta Kumar Sardar, aged about 57 years, working at OS/Engg, residing at Village Chandampur, post office - Kundarali, Baruipur, 743601, 24 Paraganas (S).
4. Subhendra nath Mitra, son of late Diptendra Nath Mitra, aged about 58 years, working at Technical Gr-III, Elect. (M), residing at Andul Dakshinpara, post office - Andul Mouri, P.s. Sankrail, Howrah, 711 302
5. Anil Kumar Sarkar, son of late Abhoy Charan Sarkar, aged about 59 years, working as St. Tech. Electrical (M), residing at Nibedita Nagar, JRR Road, P.S. Titagarh, Post Office - Nona Chanpukur, 24 Pgs (N), 700 122
6. Protim Kumar Halder, son of Sri Jitendra nath Halder, aged about 57 years, working at Gech-I Electrical (M), residing at 28/4, Sitala Tala Road, Dakshinpara, Barasat, 24 Paraganas (N), 700 124

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aged about 61
B. Chetla Road

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7. Milan Chandra Das, son of late Dilnobandhu Das, aged about 59 years, working at Dresser Medical, residing at Village Kallinagar, Post Office & P.S. - Dimod Hurbour 24 Paraganas (S), 743 331
8. Subhra Ghosh, daughter of late Bijendra Chandra Ghosh, aged about 52 years, working at JE/IT EDP Centre Accounts, residing at Jyoti Apartment (2nd Floor), Flat No. A/3, 236/1, Garfa Main Road, Kolkata 700 075
9. Ajoy Kumar Mitra, son of late Biswa Nath Mitra, aged about 56 years, working at Tech-II Elect/M, residing at 5/3/B, Chetla Road, Kolkata 700 027.
10. Mahadeb Sikdar, son of late Mano Ranjan Sikdar, aged about 53 years, working at Tech-II, Elect/Con, residing at 4/230 Hari Mohan Dutta Road, Dum Dum Cantl, Kolkata 700 028
11. Md. Safique Khan, son of late Rafique Khan, aged about 53 years, working at Chowkidar Elect/Con, residing at E/15, Railway Colony, Barrakpur, Dist 24 Pgs(N), 700 122
12. Sumita Sarkar, daughter of Jaye Lalit Mohan Sardar, aged about 50 years, working as Peon Civil Engg., residing at Qt.No. 5/C, Tollygunj Metro Railway Complex, Kolkata 700 040.
13. Anupam Das, son of late Anil Kumar Das, aged about 58 years, working as St. Tech Elec(M), residing at Sriniketan Apartment, 372, Ram Krishna Pally Sonarpur, 24 Paraganas (S), 700 150
14. Shambhu Das, son of late Bhagaban Das, aged about 57 years, working at Helper Elec (M), residing at Village Bar Mangrajpur, Post Office - Hatgacha, P.S. - Uluberia, Howrah

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about 59 years
15. Biswanath Bhattacharyya, son of Lt. Tinkori Bhattacharyya, aged about 56 years, working at Helper Elec/M, residing at 59/8, Naskar Para Lane, Kasundia, Howrah 1

about 55 years
16. Sunil Mallick, son of Late Gurupada Mallick, aged about 55 years, working as Telech-I Elect/M, residing at Village + Post Office, Alaipur, District Nadia, Chakdah 741 245

about 54 years
17. Goutam Kumar Das, son of late Suresh Chandra Das, aged about 59 years, working at Tech-I Elect/M, residing at 2/45, Azad Hind Nagar, Post Office - Agarpara, 24 PGS(N), 700109

about 50 years
18. Raj Kapoor Kurmi, son of L. N. Kurmi, aged about 50 years, working at Tech-I Elect/M, residing at 25/8, M G Road, Karunamoyee, Tollygunj, Kolkata 700 082

about 55 years
19. Biswajit Dey, son of late Bimal Chandra Dey, aged about 55 years, working at Tech-II Elect/M, residing at 29/A, New Subhayan Park Road, Kolkata 700 061

20. Krishna Pada Pal, son of late Ganga Ram Pal, aged about 54 years, residing at 56/C, Dum Dum Noapara Metro Railway Qtr. Complex, Kolkata 700 090

21. Somenath Ghosal, son of late Fatick Lal Ghosal, aged about 60 years, working at Tech-I, S&T, residing at Village and Post Office - Uttar Jhapordah, P.S. - Damjur, District - Howrah, 711 405

22. Hare Krishna Jana, son of late Bhanu Jana, aged about 61 years, worked as Ex-Khalasi Civil Engg. Residing at C/II/3B, Tollygunj Metro Railway Qtr. Complex, Kolkata 700 040

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residing at 126,
about 66 years.

23. Biswanath Guin, son of late Bhabotosh Guin, aged about 63 years,
worked as Ex JE/Elect/M, residing at 4/A.C.Sarkar Road,
Dakshineswar, Kolkata 700 076

24. Ashish Kumar Chatterjee, son of late Kashi Nath Chatterjee, aged
about 58 years, working at Ex-Helper Elect(RS), residing at 622 N S.
Road, Post office + P.S. - Joynagar Mojipur, 24 PGS(S), 743/337

25. Rabindra lal Chakraborty, son of Biswanath Chakraborty, aged
about 73 years, worked as Ex-Works Mistry/ Engg., residing at 126
Nandan Kanan, Post Office - Dankuni, Hooghly 712 311 PGS.

26. Ramesh Chandra, son of late Mabir Chandra, aged about 61 years,
worked as Ex Stn. Porter Traffic, residing at 25/1 Radhanath
Chowdhury Road, Kolkata 700015

27. Badal Chandra Ghosh, son of late Mahendra Nath Ghosh, aged
about 61 years, worked as Ex Stn. Porter Traffic, residing at Village
Sultanbagh, Post Office - Netra, Diamond Harbour Road, Dist 24
PGS(S), 743368

28. Manik Chandra Biswas, son of late Deben Chandra Biswas, aged
about 61 years, worked as Ex Stn. Porter Traffic, residing at Jainkhana,
P.S. - Mograhat, Post Office - South Mohonpur, Dist 24 PGS

29. Tapan Kumar Pandit, son of late Sukchand Pandit, aged about 59
years, worked as Ex Stn. Porter Traffic, residing at Village Dakhim
Deulpota Baikunthapur, Midnapur (E), 721 442

30. Dood Nath Ram, son of late Budho Ram, aged about 65 years,
worked as Ex-Tech-I Electrical (POH), residing at Village and Post
Office Dhewen, Ghazipur, Uttar Pradesh, Pin 233 302

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about 62 years
Village Badkulla, P.S.
about 61 years
31. Surendra Prasad Modi, son of late prayag Modi, aged about 72 years, worked as Srijan Pally, South Noldanga, Bandel, Hooghly 712123

32. Jiten Chandra Mondal, son Adhir Chandra Mondal, aged about 56 years, residing as Village Jagarampur, Post Office Joalguri, P.S. Uluberia, Howrah 711303

33. Ranjan Kumar Biswas, son of late Dwijabar Biswas, aged about 62 years, worked as Tech Elect/M, residing at Village Badkulla, B Colony, Post Office- Badkulla, Nadia 741121

34. Harendra Mahato, son of Bikau Mahato, aged about 61 years, worked Helper Elect/M, residing at Village Basantpur, Jhitkkin, Post Office - Dholi, P.S. - Sakru, Muzaffarpur, Bihar 843105

35. Abdul Kashem, son of late Allauddin Ahmed, aged about 65 years, worked as Ex-Art Khalasi Stores, residing at Village Bharpara, Post Office - Gola Bari Bagan, P.S. - Barasat, 24 PGS(N), Pin 743423

36. Md. Mafazzal Haque, son of Md. Ilias, aged about 65 years, worked as Ex-Tech II Elect/M, residing at Village Golabari, Post Office - Golabari, P.S. Barasat, 24 Paragans (North), Pin 743423

APPLICANTS

VERSUS -

(A) The Union of India, through the General Manager, Metro Railway, Metro Bhawan, Kolkata 700 071

(B) The Chief Personnel Officer, Metro Railway, Metro Bhawan, Kolkata
700 071

.....RESPONDENTS

Alka

No. O.A. 350/00283/2017
M.A. 350/00171/2017

Date of order: 1.9.2017

Present : Hon'ble Mr. A.K. Patnaik, Judicial Member

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Ms. M. Bhattacharyya, Counsel

O R D E R (Oral)

A.K. Patnaik, Judicial Member:

Heard Mr. A. Chakraborty, Ld. Counsel for the applicant and Ms. M. Bhattacharyya, Ld. Counsel for the official respondents.

2. This OA has been filed by Tarun Das Gupta and 35 ors. challenging inaction on the part of the respondent authorities in not regularizing their services although they got temporary status in the year 1981 after completion of one year's service. This O.A. has been filed praying for the following reliefs:

- "(a) An order do issue directing the respondents to pass as order to the effect that the applicants will be entitled to count full service from the date of attainment of temporary status till the date of regularization and 50% casual service for the purpose of grant of pension and pensionary benefits.
- b) Costs and incidentals
- c) Such further order/orders and/or direction/directions as your Lordships deem fit and proper.
- d) Leave may be granted to add the other applicants in the Original Application jointly under Rule 4 (5) (a) of the CAT Procedure/Rules, 1987.

3. The facts in a nut shell as per Mr. Chakraborty, Ld. Counsel for the applicant are that the applicants are at present working in the Metro Railways. They got temporary status in the year 1981. Although they received temporary status but till date they have not been regularized. The applicants preferred a representation for absorption on 21.11.2016, which is still pending consideration.

4. Mr. Chakraborty, Ld. Counsel for the applicants submitted that the grievance of the applicant would be more or less addressed if a specific

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order is passed by directing the concerned authority i.e. respondent No. 2 to dispose of the representation dated 21.11.2016 within a specific time frame.

5. Therefore, I dispose of this O.A. by directing the respondent Nos. 2 that, if any, such representation as claimed by the applicant has been preferred on 21.11.2016 and the same is still pending consideration then the same may be considered and disposed of within a period of four weeks from the date of receipt of this order.

6. Though I have not entered into the merits of the case still then I hope and trust that after such consideration if the applicant's grievance is found to be genuine then expeditious steps may be taken by the concerned respondent No. 2 from the date of such consideration to extend those benefits to the applicant. However, if in the meantime the said representation stated to have been preferred on 21.11.2016 has already been disposed of then the result thereof be communicated to the applicant within a period of 2 weeks from the date of receipt of a copy of this order.

7. With the aforesaid observation and direction, the O.A. is disposed of.

8. As prayed for by Mr. Chakraborty, Ld. Counsel a copy of this order along with paper book be transmitted to the respondent No. 2 by speed post for which Mr. Chakraborty undertakes to deposit necessary cost in the Registry by the next week.

(A.K. Patnaik)
Judicial Member

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