



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

MA. No. 350 / 00 184 / 2018
O.A. No. 350/00 339 /2018

In the matter of :-

An application Under Section 19 of the
A. T. Act, 1985;

- And -

In the matter of:-

Sri Sunil Sardar, Son of Late Gogyeswar
Sardar, aged about 53 years, working
as approved Substitute under
Commercial Supervisor, Parcel, Eastern
Railway, Sealdah Division, Sealdah,
Kolkata - 700014 and residing at
Village Durgapur, P.O. Jaynagar
Majilpur, P.S. Jaynagar, District 24
Parganas (South), Pin - 743337.

...Applicant

- Versus -

1. Union of India, Service through the
General Manager, Eastern Railway,
17, N. S. Railway, Kolkata -
700001.

[Signature]

2. The Divisional Railway Manager,

Eastern Railway, Sealdah Division,

Sealdah, Kolkata - 700014.

3. The Senior Divisional Personnel

Officer, Eastern Railway, Sealdah

Division, Sealdah, Kolkata

700014.

Respondents

W.L

No. O.A. 350/00339/2018
M.A. 350/00184/2018

Date of order: 25.4.2018

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

For the Applicant : Mr. K. Sarkar, Counsel

For the Respondents : Mr. B.K. Roy, Counsel

O R D E R (Oral)

A.K. Pattnaik, Judicial Member:

Heard Mr. K. Sarkar, Ld. Counsel for the applicant and Mr. B.K. Roy, Ld.

Counsel for the official respondents.

2. This O.A. has been filed much after the cause of action has arisen and, as such, the application for condonation of delay should first be dealt with.

3. On the other hand, Mr. K. Sarkar, leading Ms. A. Sarkar, Ld. Counsel for the applicant submits that the applicant's grievance would be more or less satisfied if a direction be issued to the Divisional Railway Manager, Eastern Railway, Sealdah Division to consider the representation preferred by the applicant on 7.1.2016 since till date the applicant has not received any response from the said authority.

4. On the other hand, Mr. B.K. Roy, Ld. Counsel for the respondents submitted that the applicant's case could not be considered because of certain anomalies in his educational qualification.

5. As I am disposing of this O.A. by direction the respondent No. 2 the representation, so preferred by the applicant, as he has not been regularised after completing 25 years of continuous service, therefore, I do not think it would be prejudicial to either of the side if the O.A. is disposed of by directing the respondent No. 2 to consider the representation of the applicant, keeping in mind the service rendered by the applicant since 1992 without any break and although he has appeared regularly before the screening committee but his case has not been considered for regularisation/absorption although some other similarly situated persons who have joined the Railways have been absorbed on regular

V.A.

basis.

6. With the aforesaid observation and direction, this O.A. stands disposed of.
7. As I have disposed of this O.A., therefore M.A. No. 184 of 2018 is also disposed of without entering into the merits on the point of delay.

(A.K. Patnaik)
Judicial Member

SP

