

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. O.A. 350/413/2018
M.A. 350/225/2018

Date of Order: 02.04.2018

Present: Hon'ble Ms. Manjula Das, Judicial Member

Ajit Kumar Sharma & Others
Vs.
Eastern Railway

For the Applicant : Mr. N. Roy, Counsel

For the Respondents : None

ORDER (Oral)

Per Ms. Manjula Das, Judicial Member:

Heard Mr. N. Roy, Id. Counsel for applicant at length.

2. MA.350/225/2018 has been filed by the applicants of OA. 350/413/2018 praying for permission to move the OA jointly under section 4(5)(a) of CAT(Procedure) Rules, 1987.

3. Learned counsel for applicants submitted that all the applicants (4 in number) have common cause of action and common interest in this matter, therefore, they should be allowed to contest the matter jointly under the provisions contained in Section 4(5)(a) of CAT (Procedure) Rules, 1987.

4. After considering the facts and circumstances of this case, we find that all these applicants have common cause of action and common interest in the matter. They have filed the OA. 350/413/2018 challenging the same issue and prayed for similar benefits.

5. In view of the above, the MA. 350/225/2018 for joint petition is allowed.

6. The applicants have approached before this Tribunal under Section 19 of the

Administrative Tribunals Act, 1985 seeking the following relief:

“8(a) To issue direction upon the respondents to consider representations dated 12.01.17 for cadre closing benefit of 6th CPC forthwith.

(b) To issue direction upon the respondents to consider cadre closing of 6th CPC benefit to the applicants forthwith.

(c) To issue further direction to the respondents same similar person has moved the matter which disposed of the same.

(d) Any other order or further order or orders as deem fit and proper under the facts and circumstances of the case.

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

(f) Leave may be granted to file this joint application under Rule 4(5)9a) of the CAT (Procedure) Rules, 1987.”

7. Ld. Counsel for applicants submitted that the applicants have not been given the 6th CPC benefits. For that they made so many representations before the respondent authority, lastly made on 26.09.2017 jointly with a request to take immediate step for consideration of cadre closing benefits of 6th CPC. But the concerned respondent authority did not response to the representation of the applicant. Hence, they have approached before this Tribunal in the present OA.

8. At the outset while moving the matter, Id. Counsel appearing on behalf of the applicants submitted that he will be satisfied if a direction is given to the respondent authority to dispose of the latest pending representation of the applicant dated 26.09.2017 within a time bound manner.

9. By accepting the prayer of the Id. Counsel for applicant and without going into the merits of this case, I hereby dispose of the OA by directing the respondents authority to consider and dispose of the representation of the applicant within a period of 3 months from the date of receipt of this order by

passing a reasoned and speaking order. The decision so arrived shall be communicated to the applicants forthwith.

10. Therefore, OA and MA are both disposed of. No order as to costs.

(Manjula Das)
Member (J)

pd

