

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH



OA/350/437/2018  
M.A/350/245/2018

Date of Order: 15.05.2018

Coram : Hon'ble Mrs. Manjula Das, Judicial Member

1. Kanai Chakraborty, son of Late Manick Lal Chakraborty, aged about 51 years, residing at Baltikuri Naskarpara, Post Office - Baltikuri, P.S Jagacha, District - Howrah 711113, West Bengal.
2. Pardesi Pal, son of late Balli Pal, aged about 59 years, residing at 38/28, fakir Bagan Lane, Post Office - Salkia, P.S - Gola Bari, District - Howrah, Howrah 1.
3. Sūkari Yadav, son of late Rama Yadav, aged about 59 years, residing at 8 no. Rose Lane, Post Office - Salkia, P.S - Gola Bari, District - Howrah, Howrah 1.
4. Bhagaban Prasad Gupta, son of Chandama Gupta, aged about 58 years, residing at 7/1, Gopal Ch. Mukherjee 2<sup>nd</sup> Lane, District - Howrah, Howrah 1.
5. Sarda Ray, son of late Rampukar Ray, aged about 55 years, residing at 21/7 J. Road-Belgrachhiya, Post Office - Das Nagar, P.S - Liluah, District - Howrah, 711105.
6. Rohitkant Mishra, son of Raj Kumar Mishra, aged about 53 years, residing at 118, Selendhar Road, Katuahpara, Post Office Liluah, P.S - Balli, District - Howrah - Howrah 711204.

---Applicants

-Versus-

1. Union of India, through the General Manager, Eastern Railway, Fairlie Place, Kolkata 700001.
2. The Divisional Railway Manager, Eastern Railway, Howrah 711101.
3. The Sr. Divisional Commercial Manager, Eastern Railway, Howrah 711101.
4. The Chief Parcel and Luggage Inspector, Eastern Railway 711101.

--Respondents

For the Applicant : Mr. A. Chakraborty, Counsel  
Ms. P. Mondal, counsel

For the Respondents : Mr. S.K Das, Counsel

O R D E R(Oral)

Per : Mrs. Manjula Das, Judicial Member:

1. M.A/350/245/2018 : M.A application filed under Rule 4(5)(a) is allowed.
2. OA/350/437/2018: The applicants approach this Tribunal seeking the following relief:
  - a) " Declaration that the applicants are deemed to be service from 22.08.2005 for the purpose of exercising option for old pension scheme.

- b) An order do issue directing the respondents to allow the applicants to switch over to old pension scheme.
- c) Leave may be granted to file this application jointly under rule 4(5)(a) of the CAT Procedure Rule, 1987. ”

3. Heard ld. counsel for both sides.

4. Ld. counsel for the applicants submits that for the present he will be satisfied if a direction is given to make a comprehensive representation before the authority within a time frame.

5. I have heard both the parties, perused the pleadings and by accepting the prayer of the ld. counsel for the applicant, and without going into the merit of the case, I direct the applicant to make a comprehensive representation within a period of one month from the date of receipt of the copy of this order. If such representation is made before the appropriate authority, the authority shall decide the same within a period of three months thereafter by giving a reasoned and speaking order.

6. It is made clear that decision so arrived shall be communicated to the applicant forthwith. With the above direction, the O.A stands dispose of accordingly. No order as to costs.



(Manjula Das)  
Member (J)