



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. O.A. 350/511/2018


Date of Order: 04.05.2018

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

Moumita Malakar, daughter of late Jiban Malakar, aged about 40 years, working for gain as Nursing Sister under B.R. Singh Hospital, Eastern Railway, Sealdah Division, Kolkata; residing at 31, Olai Chanditala, Udaipur, 2nd Lane, P.O. Nimta, P.S. Belgharia, Kolkata, Pin- 700049.

.....Applicant.

-vs-

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1. Union of India, service through the General Manager, Eastern Railway, 17, N.S. Railway, Kolkata-700001.
 2. The Chief Personnel Officer, Eastern Railway, 17, N.S. Railway, Kolkata-700001.
 3. The Chief Medical Director, Eastern Railway, 17, N.S. Railway, Kolkata-700001.
 4. The Senior Divisional Personnel Officer, Eastern Railway, Sealdah Division, Sealdah, Kolkata-700014.
 5. The Divisional Railway Manager, Eastern Railway, Sealdah Division, Sealdah, Kolkata - 700014.
 6. The Medical Director, B.R. Singh Hospital, Eastern Railway, Sealdah, Kolkata-700014.

.....Respondents.

For the Applicant : Mr. K. Sarkar, Counsel

For the Respondents : Mr. S. Banerjee, Counsel

ORDER (Oral)

Per Ms. Manjula Das, Judicial Member:

Heard Mr. K. Sarkar, learned counsel for applicant and Mr. S. Banerjee, Id. counsel for respondents.

2. The applicant has approached before this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

"8(i) to direct the respondents to extend the benefit of the judgment and order of the Hon'ble High Court of Delhi dated 04.11.2016 and Memo dated 06.12.2017 delivered in W.P (C) No. 8058/2015 to the applicant herein being a similarly circumstanced nursing personnel under Eastern Railway/Ministry of Railways/Govt. of India) as contained in Annexure "A4" and "A3" herein;

(ii) to direct the respondents to deal with and/or dispose of the representation of the applicant dated 21.03.2018 as contained in Annexure "A5" herein;

(iii) to direct the respondents to produce the entire records of the case before this Hon'ble Tribunal for effective adjudication of the issues involved herein;

(iv) and to pass such further order or orders as the Hon'ble Tribunal may deem fit and proper."

3. Id. Counsel for applicant submits that presently the applicant will be satisfied if a direction is given to the respondent authority to consider and dispose of his representation dated 21.03.2018 (Annexure A-5 to the OA) within a time frame.

4. By accepting the prayer of the Id. Counsel for applicant and without going into the merits of the case, I hereby dispose of the OA by directing the respondent authority to consider and dispose of the representation of the applicant dated 21.03.2018 (Annexure A-5 to the OA) within a period of 3 months from the date of receipt of this order.

5. It is made clear that the decision so arrived shall be reasoned and speaking and shall be communicated to the applicant forthwith.

6. With the above observations and directions, the OA stands disposed of. No costs.



(Manjula Das)
Member (J)

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