

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No. O.A. 350/00542/2018

Date of Order: 08.06.2018

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

Sri Praveen Kumar Thakur
Son of Late Ram Thakur
Aged about 39 years, Residing at 35
Dayamoyee Road Pramoth Nagar
Parsudih, Jamshedpur, Jharkhand, Pin – 831002.

.....Applicant.

-VS-

1. Union of India through General Manager
South Eastern Railway, Garden Reach
Kolkata – 700043.
2. The Chief Personnel Officer
South Eastern Railway, Garden Reach
Kolkata – 700043.
3. Dy. Chief Personnel Officer (Gazetted)
South Eastern Railway, Garden Reach
Kolkata – 700043.
4. Bibhuti Narayan Sharma
AOM/Ranchi, SE Rly.
Divisional Railway Manager
Office Hatia Station Complex, Hatia
Jharkhand – 834003.
5. Sonali Paruai, Station Director
Kharagpur S.E. Rly
Divisional Railway Manager Building
Kharagpur – 721301.

.....Respondents.

For the Applicant : Mr. A. Chakraborty
Ms. P. Mondal

For the Respondents : Mr. B.P. Manna

ORDER (ORAL)

Per Mrs. Manjula Das, Judicial Member:

Being aggrieved, the Applicant preferred this O.A. under Section 19 of the Administrative Tribunal Act, 1985 seeking the following reliefs:-

- “8.(a) Office Order dated 22.02.2018 issued by Dy. Chief Personnel Officer(Gaz), South Eastern Railway, cannot be sustained in law and therefore the same may be quashed.
- (b) Memorandum dated 14.12.2015 issued by Dy. Chief Personnel Officer (GAZ) on behalf of the Chief Personnel Officer, South Eastern Railway cannot be sustained in the eye of law and therefore, the same may be quashed.
- (c) An order do issue directing the respondents to produce the records in communication in selection for promotion to the post of AOM/SS Group B.
- (d) An order do issue directing the respondents to grant promotion in favour of the applicant the post of AOM/SS/Group with effect from the date private respondent was promoted.”



2. Heard A. Chakraborty, learned counsel for the applicant and Mr. B.P. Manna, learned counsel for the respondents.
3. At the outset of moving of the matter, the learned counsel for the respondents submits that in view of the order passed by this Tribunal on 14.11.2017 in O.A. No. 235/2016, the respondents have passed a speaking order dated 04.04.2018, however, the same has not been challenged by the applicant in the present O.A. as much as he only came to know about the passing of speaking order dated 04.04.2018 which now being handed over to him by the learned counsel for the respondents.
3. The learned counsel appearing for the applicant submits that the order dated 04.04.2018 passed by the respondents, is not a speaking order. However, he further submits that he wants to file a separate O.A. by withdrawing the present

O.A. Accordingly, he prays permission to withdraw the same.

5. Permission is granted. The O.A. stands dismissed as being withdrawn. However, liberty is granted to file a fresh O.A.

6. No order as to costs.

(Manjula Das)
Member (J)

PB

