

O.A. 350/546/2018
M.A. 350/289/2018

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No/350/00546 of 2018
M.A. 350/289/2018

1. Shri Sourav Kanjilal son of Rabi Ranjan Kanjilal, aged about 28 years, residing at Sukanta Nagar 1st Sarani, P.O. Michael Nagar, P.S. Dum Dum, Dist. North 24 Parganas, State of West Bengal, Pin - 700133, Written Examination Roll No. 2228135.
2. Shri Bharat Kumar son of Prameshwar Prasad Singh aged about 26 years, residing at Vill. & P.O. Kishanpur Yusuf, Via - P. Halai, P.S. Sarairanjan, Dist. Samastipur, State Bihar, Pin - 848505, Written Examination Roll No. 3237226.
3. Shri Rabindra Kumar son of Sahadev Mahto, aged about 32 years, residing at Deoghara Chandra Tola, P.O. Amarpur, P.S. Medani Chowki, Dist. Lakhisarai, Pin - 811106, State of Bihar, Written Examination Roll No. 4120632.
4. Md. Alamgir Azad son of Md. Mahram, aged about 35 years, Vill & P.O. Bahadurpur, P.S. Govindganj, Dist. East Champaran, State of Bihar, Pin 84541, Written Examination Roll No. 1130736.
5. Shri Ruhidas Mondal son of Kashi Nath Mondal aged about 37 years, residing at Vill. Majhergram, P.O. Gangsara, P.S.

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Gangnapur, Dist. Nadia, Pin - 741238, State of West Bengal, Written Examination Roll No.4121930.

6. Shri Dharendra Tanti son of Dinesh Tanti aged about 31 years, residing at Central Satgram Colliery, P.O. Bogra, Dist. P. Burdwan, State of West Bengal, Pin - 713332, Written Examination Roll No.5102374.
7. Shri Rishi Kant Kumar son of Ravindra Yadav aged about 25 years, residing at Vill. Naulakha, P.O. Safiyabad, P.S. Kasim Bazar, Dist. Munger, State of Bihar, Pin - 811214, Written Examination Roll No.4108702.
8. Md. Istekhar son of Md. Khalil aged about 26 years, residing at Vill. Birbanna, P.O. Sangitbaita, P.S. Antichak, Dist. Bhagalpur, State of Bihar, Pin No. 813203, Written Examination Roll No.1115707.
9. Shri Dharmendra Kumar Sharma son of Jagdish Sharma, aged about 28 years, residing at Vill & P.O. Chilmil Via - Rayaura, P.S. Muffasil, Dist. Begusarai, Pin - 851131, State of Bihar, Written Examination Roll No. 5118811.
10. Shri Pintu Kumar son of Raj Balli Singh aged about 29 years, residing at Ranipur Paijaba, Patna City, P.O. Jhauganj, P.S. Bypass (Mahadev Sthan), Dist. Patna, Pin - 800008, State of Bihar, Written Examination Roll No.4226853.

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11. Kanchan Kumari wife of Satish Kumar aged about 35 years, residing at Vill. Nayagow (Sikanderpur), Post Jamalpur, Dist. Munger, P.S. East Coloney Jamalpur, State of Bihar, Pin - 811214, Written Examination Roll No. 5230758.
12. Shri Sushanta Halder son of Girindra Halder aged about 33 years, residing at Vill. Majdia, P.O. Joyghata, P.S. Krishnoganj, Dist. Nadia, Pin - 741508, State of West Bengal, Written Examination Roll No.2244618.
13. Shri Soumik Mondal son of Prodip Kumar Mondal aged about 27 years, residing at Vill. & P.O. Maslandapur (Tinamtala), Dist. 24 Parganas (N), P.s. Habra, Pin - 743289, State of West Bengal, Written Examination Roll No.2213639.
14. Shri Premananda Das son of Harilal Das aged about 29 years, residing at Vill. Sealdanga, P.O. Hatbahirgaehi, P. S. Dhantala, Dist. Nadia, Pin - 741501, West Bengal, Written Examination Roll No.4226233.
15. Sudha Devi wife of Satyendra Prasad, daughter of Banke Paswan, aged about 34 years, residing at Traffic Colony Asansol, Q. No. 13/Z, Post Asansol, Pin 713301, P.S. Asansol, West Bengal, Written Examination Roll No.2214375.
16. Shri Basuki Kumar son of Khokha Bhagat, aged about 34 years, residing at Vill. & P.O. Nandlalpur, Via - Mathurapur,



Dist. Bhagalpur, Pin 813222, State of Bihar, Written Examination Roll No.3225608.

17. Shri Nishant Kumar Nayak son of Hari Nayak aged about 25 years, residing at Vill. & P.O. Kalyanpur, P.S. Barayarpur, Dist. Munger, Pin - 811211, State of Bihar, Written Examination Roll No. 5219581.

18. Shri Mahendra Kumar Bauri son of Chhota Hari Prasad Bauri, aged about 28 years, residing at M.O.C.P. New Colony Alakdiha, P.O. Pargha, P.S. Tisra, Dist. Dhanbad, Pin - 828201, State of Jharkhand, Written Examination Roll No.1127681.

All the applicants are unemployed youth.

... Applicants

- Versus -

1. Union of India, service through the General Manager, South Eastern Railway, 11, Garden Reach Road, Kolkata -700 043.
2. The Chairman, (Rectt.) Railway Recruitment Cell, South Eastern Railway, 11, Garden Reach Road, Kolkata - 700 043.

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3. The Chief Personnel Officer, (Rectt.) Railway Recruitment Cell, South Eastern Railway, 11, Garden Reach Road, Kolkata - 700 043.
4. The Assistant Personnel Officer (Rectt.), South Eastern Railway, 11, Garden Reach Road, Kolkata - 700 043.

... Respondents

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

O A/ 350/546/2018
M.A./350/289/2018

Date of order: 26.04.2018

Coram : Hon'ble Mr. A. K. Patnaik, Judicial Member

For the applicant : Mr. J.R. Das, counsel

For the respondents : Mr. B.P. Manna, counsel

ORDER

A. K. Patnaik , Judicial Member

This O. A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs :-

"(i) To direct the respondents to prepare and publish panel including the applicants and offer appointment to the applicants and others strictly in accordance with their order of merit, provided in the vacancy notice of 2012 within period of one month from the date of the order or as considered fit by the Hon'ble and further directing the respondents to grant all consequential benefits to the applicants in a time bound manner.

(ii) An order holding that the withholding of results of the applicants and denial of appointments to them are bad in law and arbitrary as well as in violation of rights guaranteed under Article 14 of the Constitution of India.

(iii) An order directing the respondents to deal with and dispose of the representations made by the applicants in tune of their eligibility and fitness stated in notification 2012.

(iv) An order directing the respondents to produce entire records of the case since lying within the jurisdiction of this Hon'ble Tribunal for conscionable justice.

(v) Any other order or further order / orders as to this Hon'ble Tribunal may seem fit and proper."

The applicants have also filed M.A.No.350/289/2018 seeking permission to move this O.A. jointly under Rule 4(5)(a) of C.A.T.(Procedure) Rules, 1987.



2. Heard Mr. J.R. Das, Id. counsel for the applicants and Mr. B.P. Manna, Id. counsel for the official respondents.

3. The Id. counsel for the official respondents Mr. B.P. Manna raised serious objection to the maintainability of this O.A. in the present form by stating that so many applicants have joined together in a single representation/application praying for the benefits to the authorities. He further submitted that the applicants are not at all eligible to the benefits as claimed in this O.A., therefore, this O.A. may be dismissed at the threshold.

4. Id. counsel for the applicant Mr. J.R. Das submitted that the applicants would be happy if liberty is granted to the applicants to file a comprehensive representations individually to the Respondent No.2 and the said authority is directed to consider and dispose of the same within a specific time frame.

Though no notice has been issued to the respondents, I am of the view that it would not be prejudicial to either of the parties, if the prayer of the Id. counsel for the applicants is allowed.

5. Accordingly, liberty is given to the applicants to file comprehensive representations individually to the Respondent No.2 i.e. the Chairman, Railway Recruitment Cell, South Eastern Railway, 11, Garden Reach Road, Kolkata within a period of 4 weeks from today and in case such representations are filed, the said authority is directed to consider and dispose of the same by passing a well reasoned order as per rules and regulations in force within a period of six weeks from the date of receipt of such representation from the applicants and communicate the decision to them forthwith. After such consideration, if the grievance of the applicants is found genuine, then I hope and trust that the



respondent authorities shall extend the consequential benefits to the applicants within a further period of six weeks from the date of taking decision in the matter.

6. It is made clear that I have not gone into the merits of this case and all the points to be raised in the representations are kept open for consideration by the respondent authorities as per rules and regulations governing the field.

7. With the above observations and directions , the O. A. is disposed of. Consequently the M.A.350/289/2018 which has been filed for joint prosecution also stands disposed of. No order as to cost.

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Judicial Member

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