

LIBRARY

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

No. O.A. 350/01106/2018
M.A. 350/00554/2018
M.A. 350/00553/2018

Date of order : 2.1.2019

**Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member**

1. Puli Venkata Rao,
S/O Puli Sive Rao,
Residing at 17/L/20, Shalimar Road,
Howrah(M. Corporation),
Pin- 711103.
2. B. Devendra Prasad,
S/o B. Kumar Rao,
Residing at B-105/8, U.F., Garden Reach Road,
South Eastern Railway Compound (South Side),
Kolkata- 700043.
3. Chandan Bera,
S/O Mohan Lal Bera,
Residing at Bankurdaha,
Dakshin Paschim Bankurdaha,
Bagnan,
Howrah, Pin-711303.

.....Petitioners.

-versus-

1. The General Manager,
South Eastern Railway,
Having its office at 11, Garden Reach,
Kolkata- 700 043.
2. The Secretary,
Government of India,
Ministry of Railways, Rail Bhawan,
1, Raisina Road,
New Delhi, Pin- 110001.
3. South Eastern Railway,
Service through its the General Manager,
11, Garden Reach Road,
Kolkata- 700 043.

hsh

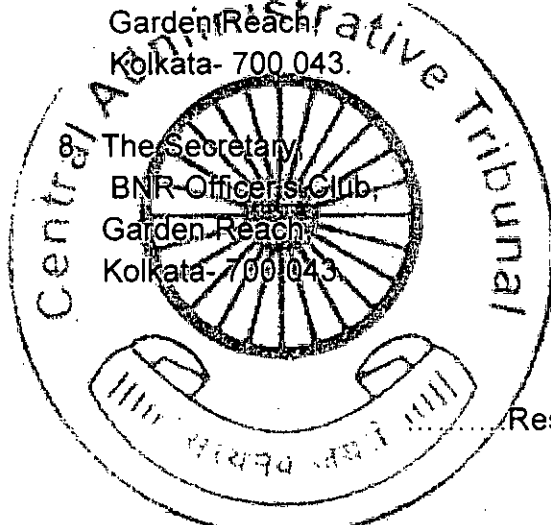
4. The Divisional Railway Manager (P),
South Eastern Railway,
Kharagpur,
Paschim Medinipur,
Pin- 721301.

5. Chief Personnel Officer,
South Eastern Railway,
11, Garden Reach,
Kolkata- 700 043.

6. Assistant Personnel Officer,
South Eastern Railway,
11, Garden Reach,
Kolkata- 700043.

7. BNR Officer's Club,
Service through its Secretary,
Garden Reach,
Kolkata- 700 043.

8. The Secretary,
BNR Officer's Club,
Garden Reach,
Kolkata- 700 043.



Respondents.

For the Applicant : Mr. B. Chatterjee, Counsel

For the Respondents : Mr. B.L. Gangopadhyay, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

The instant Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

"(a) Direct the Respondents authorities, and each of them, and/or their men, agents, servants, subordinates, employees and/or authorities and

hsh

each of them to give appointment to the petitioners for the post of Group-'D' staff.

(b) Direct the Respondent authorities and each of them, and/or their men, agents, servants, subordinates, employees and/or authorities and each of them to release the consequential benefits of the petitioners.

(c) Direct the respondents and/or their men, agents or subordinates to show cause as to why the petitioners will not be absorbed for the appointment for the permanent post of Group - 'D' staff.

(d) Direct the respondents and/or their men, agents or subordinates to transmit all relevant records pertaining to this case before the Hon'ble Court so that conscionable justice may be given after going through the same.

(e) Rule NISI in terms of prayers (a), (b), (c) and (d) as above.

(f) Costs.

(g) Give any other or further order or orders, direction or directions as your Lordship may deem fit and proper.

An Miscellaneous Application No. 554 of 2018 has been filed praying for condonation of delay and Miscellaneous Application No. 553 of 2018 has been filed praying for leave to file this application jointly under Rule 4(5)(a) of Central Administrative Tribunal (Procedure) Rules, 1987.

2. Heard both Ld. Counsel. The matter is taken up at the admission stage for disposal.

3. Ld. Counsel for the applicants submits that the applicants would like to withdraw the present Original Application and file comprehensive representations in their support, citing applicable judicial pronouncements.

Ld. Counsel for the respondents does not object to the same.

4. Accordingly, without entering into the merits of the matter and with the consent of the parties, the Original Application is disposed of as withdrawn with liberty to the applicants to file comprehensive representations before the competent respondent authority for redressal of their grievances and citing relevant judicial pronouncements in their support. In the event such representations are received, the respondent authority shall dispose of the same

hsh

4 O.A. 350.01106.2018 WITH M.A. 350.00554.2018 WITH M.A. 350.553.2018

as per law within a period of six weeks of the date of receipt and convey such decisions forthwith to the applicants.

5. With these directions, the O.A. and M.A.s are disposed of as withdrawn.

No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

SP

