

LIBRARY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

O.A. No. 350/1956/2018

PARTICULARS OF THE APPLICANTS:

1. Janmejay Kumar, son of Someshwar Mahto, aged about 44 years, residing at Village & Post Office – Jaipur, P. S. – Mahensiya, District – Arwal (Bihar), Pin 804498
2. Anil Kumar, son of Ram Jugut Singh, aged about 26 years, residing at Village – Chadchaur Pachipaika, Post Office – Bhagwanpur Kamla, P.S. – Ujiarpur, Dist – Samastipur, Pin 848132
3. Randhir Kumar, son of Sri Laldhar Prasad, aged about 41 years, residing at Village and Post Office – Safepur, ^{P.O. - Narkhi} P.S. – Kako, District – Jehanabad, Pin- 804418, Bihar
4. Pankaj Thakur, son of Ramjee Thakur, aged about 38, residing at Civil Line, Buxar, Village and Post and District – Bumar (Bihar), Pin 802101
5. Rajan Marik, son of Jaldhar Marik, aged about 28 years, residing at Kapsiya, Post Office – Ramudih, District – Eroghar, Pin 814152, Jharkhand
6. Mrinal Kanti Ghosh, son of Rathindra Nath Ghosh, aged about 27 years, residing at Village Godapyal, Post Office – Devjore, P.S. – Nala, District – Jamtaram, Jharkhand, Pin 815355.

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7. Manoj Kumar, son of Sant Vilas Singh, aged about 34 years, residing at Village Barahara, Post Office – Semraon, P.S. – Gharpokhari, District – Bhojpur, Bihar, Pin 802203
8. Birendra Yadav, son of Jagannath Yadav, aged about 27 years, residing at Village and Post office – Mahamada, Via Basnntpur, District Siwan, Pin 841406
9. Mahesh Prasad, son of Indradev Prasad, aged about 27 years, residing at Village Karma, Post Office – Kewali, P.S. – Kawakol, District – Nawada, Bihar, Pin 805106
10. Brajesh Kumar Paswan, son of Ramdeo Paswan, aged about 27 years, residing at Village – Laxmipur, Post office – Singhchak, P.S. – Surayghadha, District – Lakhisarai, Pin 811310
11. Dharmendra Pashan, son of Puran Paswan, aged about 36 years, residing at Village Birniyt, Post Office – Baghmar, P.S. – Devipur, District – Deowhar, Jharkhand, Pin 814152
12. Ajay Kumar, son of Sonelal Choudhary, aged about 38 years, residing at Village and Post Office – Rajason, P.S. – Bidupur, District – Vaishali, Bihar, Pin 844503.
13. Indrajeet Kumar, son of Rakesh Kumar, aged about 28 years, residing at Village and Post office – Susta, P.S. – Sadar, District – Muzaffarpur, Bihar, Pin 842002

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14. Dinesh Kumar, son of Indradeo Pandit, aged about 29 years, residing at Village Kalyanpur, Post Office - Mohanpur, P.s. - Simultala, District - Jami, Bihar, Pin 811 316
15. Gaurishankar Pandit, son of Krishna Kumar Pandit, aged about 28 years, residing at Village Bahjora, Post Office and P.S. - Belha, District - Bankra, Bihar, Pin 813202
16. Abhishek Kumar, son of Yamuna Singh, aged about 32 years, residing at Village - Nawadih, Post Office - Gamahariyan, P.S. - Akodhi Gola, District - Rohtas, Pin 821 301
17. Manoj Kumar Mayank, son of Domar Pd Yadav, aged about 36 years, residing at Village - Barondhiya, Post Office - Telwa Bazar, P.S. - Simultala, District - Jamui, Bihar, Pin 811 316
18. Birendra Prasad Chourasia, son of Anil Prasad Chourasia, aged abour 28 years, residing at Village - English Patam, Post Office - Patam, P.S. - Naya Ram Nagar, District - Mundger, Bihar, Pin 811 214
19. Vijay Kumar Singh, son of Vishwanath Singh, aged about 28 years, residing at Village Sukki, Post Office - Sukki, P.S. - Khajauli, District - Madhubani, Bihar, Pin 847228
20. Rajeev Kumar Kushwaha, son of Jagdeo Prasad Kushwaha, aged about 29 years, residing at Jhajhari Ward 13, Post Office - Ghodpakari, P.S. - Inarwa, District - Wet Champaran, Bihar, Pin 845306

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21. Nitesh Kumar Yadav, son of Govind yadav, aged about 30 years, residing at Chamua, Post Office – Saidpur, P.S. – Shikarpur, District – W Champaran, Bihar, Pin 845 455

22. Chandan Kumar, son of Binod Mahato, aged about 29 years, residing at Toralpur, Post Office – Mustafapur, P.S. – Surajgarha, District – Lakhisarai, Bihar, 811 106

23. Amerendra Kumar, son of Surendra Prasad, aged about 30 years, residing at Galshnagar, Post office Kenar, P.S. – Sarmura, District – Nalanda, Bihar, 81 101

24. Pankaj Kumar, son of Tileshwar Prasad, aged about 40 years, residing at Barmasia, (Marwari Ghāt Road), Post Office – Giridih, P.S. – Giridih, District Jharkhand, Pin 815301

25. Md Iqbalansari, son of Abbas, aged about 30 years, residing at Village Ghosbad, Post Office – Dewalbari, P.S. – Karmatar, District – Jamtara, Pin 815352, Jharkhand.

The applicants are working in the post of Keyman and Mate respectively under different SSE of Asansol Division, Eastern Railway

...APPLICANTS.



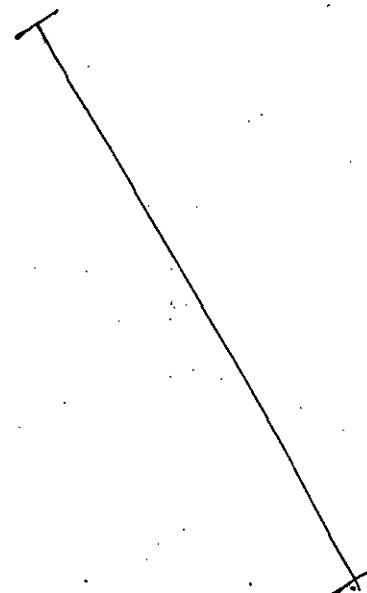
-V E R S U S-

PARTICULARS OF THE RESPONDENTS:

1. The Union of India, through the General Manager, Eastern Railway, Fairlie Place, Kolkata 700 001.
2. The Senior Divisional Engineer (Co-ordination), Eastern Railway, Asansol Division, Burdwan. 713101
3. Senior Divisional Personnel Officer, Eastern Railway, Asansol Division, Burdwan. 713101

... Respondents

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

OA/350/1956/2018
MA/350/ 973/2018

Date of Order: 11.01.2019

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

Janmejay Kumar & Ors -vs- Eastern Railway

For the Applicant(s): Mr. A.Chakraborty, Counsel

Ms. P.Mondal, Counsel

For the Respondent(s): Mr. S.K.Das, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Mr. A.Chakraborty, Ld. Counsel for the applicants, and Mr. S.K.Das,

Ld. Counsel appearing for the Official Respondents, in extenso.

2. M.A.No. 973/2018 filed for joint prosecution of this case is allowed and disposed of.
3. This O.A. has been filed under Section 49 of the Administrative Tribunals Act, 1985 with the following prayers:

“ a) An order do issue directing the respondent to grant the benefit of Grade Pay of Rs. 2800/- in favour of the applicant with effect from the date of their promotion to the post Keyman, Mate respectively as per RBE dated 04.03.2014 and corrigendum dated 31.10.2014 and to grant them arrears.

b) Leave may be granted to file this Original Application jointly under Rule 4(5)(a) of the CAT procedure Rule 1987.”

4. The case of the applicants as enumerated by Ld. Counsel is that they are working as Keyman/Mate under different Senior Section Engineer (P.Way), Asansol Division, South Eastern Railway. On 04.03.2014 Railway Board issued a circular (Annexure-A/2) to the effect that existing Keyman and Gangmate

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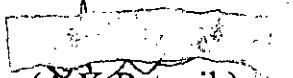
have been re-designated as Track Maintainer Grade-I in Grade Pay of Rs. 2800/- Corrigendum was issued that the Board has approved duties of re-organised Trackman categories under Engineering Department. Ld. Counsel for the applicants submitted that the categories of Mate and Keyman have been re-designated as Track Maintainer Grade -I in Grade Pay of Rs. 2800/- He further submitted that ventilating their grievance applicants have preferred common representation on 21.09.2017 and on 11.11.2017 (Annexure-A/4) praying for grant of benefit of Grade Pay Rs. 2800/- since they are working in the post of Track Maintainer Grade-I, which has not yet been considered. He further submitted that grievance of the applicants may be redressed if Respondent No.3 is directed to consider the said representation within a specific time frame.

5. Having heard Ld. Counsel for the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 3 to consider the representation of the applicants, if the same has been filed and is pending for consideration, and pass a reasoned and speaking order as per rules and regulations communicating the same to each of the applicants individually within a period of six weeks from the date of receipt of copy of this order. I make it clear that if after such consideration the grievance of the applicants is found to be genuine and they are otherwise eligible then expeditious steps be taken to grant them the Grade Pay of Rs. 2800/-, as claimed by them, within a further period of six weeks from the date of such consideration. I make it clear that if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicants within two weeks.

6. With the aforesaid observation and direction, this O.A. stands disposed of.
No costs.



7. As prayed for by the Ld. Counsel for the applicants, copy of this order along with paperbook be transmitted to Respondent No. 3, for which, he undertakes to deposit the cost with the Registry within a week.
8. Copies of this order be handed over to the Ld. Counsel for the parties.


(A.K. Patnaik)
Member(J)

RK/PS

