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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

KOLKATA BENCH, KOLKATA

O. A. No.350/0 1826 / of 2018

**MANOJ KUMAR SARKAR**, son of  
Late Kanai Lal Sarkar, aged about  
51 years, by occupation Service,  
working as CBC/KGLF, Eastern  
Railway, Howrah Division, residing  
at Village Nimtalaghata, P.O. Jiaganj,  
District : Murshidabad, Pin-  
742123.

... APPLICANT

V E R S U S

1. **UNION OF INDIA**, service  
through the General Manager,  
Eastern Railway, 17, N.S. Road,  
Fairlie Place, Kolkata-700001.

2. **DIVISIONAL RAILWAY  
MANAGER**, Eastern Railway,  
Howrah Division, DRM Building,  
Howrah-711001.

W.L

**3. SENIOR DIVISIONAL**

**PERSONNEL OFFICER, Eastern**

**Railway, Howrah Division, DRM**

**Building, Howrah-711001.**

**4. STATION MANAGER,**

**Khagraghat Road, Eastern Railway,**

**Khagraghat, Pin-742187.**

**... RESPONDENTS**

*2A*

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

O.A. 350/1826/2018

Date of Order: 20.12.2018

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

*Manoj Kumar Sarkar -vs- U.O. I. & Ors.*

For the Applicant(s): Mr. B. Chatterjee, Counsel

For the Respondent(s): Mr. A. K. Banerjee, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Ld. Counsel for both the parties, in extenso.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

"8.(a) An Order do issue directing the respondent authority to consider the grievances of the applicant in lieu with Circulars dated 15.11.1997 and 02.02.2010;

(b) An Order do issue directing the respondent authority to issue posting order to the applicant at Azimganj City or Nabagram PRS at the earliest;

(c) An order do issue directing the respondent authority to consider the representation of the applicant dated 14.04.2017;

(d) An order do issue directing the respondent authority to give immediate effect to their letter dated 16<sup>th</sup> October, 2017 being No.EAC/2/Coml. Clerk/MP/MLA/CA/Pt.I issued by DPO for DRM, Howrah;

(e) An order do issue directing the respondents to produce/cause production of relevant documents as deemed necessary for the purpose of proper adjudication of the case;

*AK*

(f) Costs;

(g) Any other or further order or orders or direction as Your Lordships may deem fit and proper."

3. After hearing in extenso both the counsels appearing for the respective parties, Mr.B. Chatterjee, Id. Counsel for applicant submitted that liberty may be given to the applicant to make a comprehensive representation to Respondent No. 2, within a period of 2 weeks from the date of receipt of copy of this order and specific time frame may be given to consider the said representation on spouse ground as well as keeping in mind the present health condition of the applicant.

4. I am quite convinced with the arguments advanced by Mr. Chatterjee and therefore without awaiting for further instructions or reply, without going into the merit of this matter, I dispose of the O.A. by granting liberty to the applicant to make a comprehensive representation to the Respondent No. 2 within a period of 2 weeks from the date of receipt of copy of this order and in case any such representation is preferred then the Respondent No. 2 will consider the same as per rules and regulations governing the field and also the problem being faced by the applicant and pass a reasoned and speaking order within a period of 6 weeks from the date of receipt of the said representation. I make it clear that if after such consideration the applicant's grievance is found to be genuine then expeditious steps may be taken within a further period of 4 weeks to consider his case for transfer.

5. With the aforesaid observation and direction, this O.A. stands disposed of at the admission stage. No costs.

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6. Applicant is granted liberty to annex a copy of this order along with representation to be preferred to the Respondent No. 2.
7. Copies of this order be handed over to the Ld. Counsel for the parties.

(A.K Patnaik)  
Member (J)

pd

