



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA.

0A/350/00158/2019

PARTICULARS OF THE APPLICANT:

Ujjal Roy, son of Late Surendra Nath Roy, aged about 50 years, by Occupation-Service, residing at 64, Siraj Mondal Road, Lichupara, Post Office-Kanchrapara, District-North 24-Parganas, PIN-743145, West Bengal.

...APPLICANT.

-V E R S U S-

PARTICULARS OF THE RESPONDENTS:

1. Union of India, service through the General Manager, Eastern Railway, Fairlie Place, Kolkata-700001.
2. The Divisional Railway Manager, Eastern Railway, Howrah Division, Howrah-711101.
3. The Sr. Divisional Engineer(CON), Eastern Railway, Howrah Division, Howrah-711101.

...RESPONDENTS.

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/158/2019

Date of Order: 29.03.2019

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

Ujjal Roy -vs- Eastern Railway

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

Ms. P. Mondal, Counsel

For the Respondent(s): Mr. B. K. Roy, Counsel

ORDER (O R A L)

A.K Patnaik, Member (I):

Heard Mr. A. Chakraborty, leading Ms. P. Mondal, Id. Counsel appearing for the applicant. Mr. B. K. Roy, Id. Counsel for the official respondents is also present and heard in extenso.

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

“ a) An order do issue directing the respondents to transfer the applicant on his own request and posting him near to his residence, more particularly, at Kanchrapara Workshop under the Eastern Railway authority at an early date.

b) An order do issue directing the respondents to consider the representations preferred by the applicant by taking steps for the transfer of the applicant on his own request and posting near to his residence, more particularly, at Kanchrapara Workshop under the Eastern Railway.”

3. The brief facts of the case as submitted by Ld. counsel for the applicant are that the applicant was appointed in Group D post in the year 1990 and is now working as Gateman under the respondent authorities. The applicant is aggrieved for non-consideration of his case for his transfer on own request at Kanchrapara Railway Workshop. Ld. Counsel also submitted that the applicant would be satisfied for the present if a direction is issued to the respondent authorities to consider the representation, dated 22.08.2018, under Annexure A/3 within a specific time frame.

4. Having heard Ld. Counsel for both the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 2 to consider the

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representation of the applicant, dated 22.08.2018, under Annexure A/3, if the same has been filed and is pending for consideration, by passing a reasoned and speaking order as per rules and regulations in force within a period of six weeks from the date of receipt of a copy of this order and communicate the decision to the applicant forthwith. After such consideration, if the applicant's grievance is found to be genuine, then necessary steps shall be taken by the respondent authorities to grant the consequential benefits within a further period of six weeks from the date of taking decision. I make it clear that status quo as on date so far as the continuance of the applicant in his present place of posting is concerned, will be maintained till the representation is considered, disposed of and the result is communicated to the applicant.

5. With the aforesaid observation and directions, this O.A. stands disposed of. No costs.

6. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with the paperbook be transmitted to Respondent No. 2 by Speed Post, for which, he undertakes to deposit the cost in the Registry within a week.

7. Copies of this order be handed over to the Ld. Counsel for the parties.

(A.K Patnaik)
Member (I)

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