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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

O.A. No. 350/93/2019

PARTICULARS OF THE APPLICANTS:

PINTU KUMAR, son of Sri Indradev Singh, aged about 39 years, residing
at Village & Post office - Athmalgola, District - Patna, Pin Code 803211

..... APPLICANT

V E R S U S

i) Union of India, through the General Manager, Eastern Railway,
Fairly Place, Kolkata 700 001

ii) The Principal Chief Personnel Officer, Eastern Railway, Fairly
Place, Kolkata 700 001

iii) The Chairman Railway Recruitment Cell, Eastern Railway, C R
Avenu Road, Kolkata 700 012

iv) The Assistant Personnel Officer, Railway Recruitment Cell
E. Railway, C.R. Avenue, Kolkata - 12

..... RESPONDENTS

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/93/2019

Date of Order: 30.01.2019

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

Pintu Kumar -vs- RRC (E. Railway)

For the Applicant(s): Mr. A. Chakraborty, 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 applicant, and Mr. S.K.Das, Ld. Counsel appearing for Official Respondents, in extenso.

2. This O.A. has been filed under Section 49 of the Administrative Tribunals Act, 1985 with the following prayers:

“ An order do issue directing the respondents to call the applicant to appear in the Medical test and thereafter to grant him appointment in group 'D' Post since he was declared suitable in all stages.”

3. The sum and substance of case of the applicant, as narrated by Ld. Counsel for the applicant, is that applicant pursuant to Notification No. 01/2006 applied for the post of Grade D and appeared in the selection test. Grievance of the applicant is that the candidature of the applicant was rejected on flimsy ground. The applicant has relied upon the orders passed by the Tribunal in O.A.Nos. 1132/2012 and 31/2016 filed by similarly situated candidates. Ld. Counsel for the applicant submitted that although, ventilating his grievance, the applicant has preferred representation on 23.01.2018 before Respondent No. 4 under Annexure-A/5 but till date nothing has been communicated to him. He further submitted that the applicant's grievance may be more or less redressed if a direction is issued to



Respondent No. 4 to consider the representation of the applicant 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. 4 to consider the representation dt. 23.01.2018 (Annexure-A/5), if the same has been filed and is pending for consideration, and pass a reasoned and speaking order as per rules and regulations 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 applicant is found to be genuine and he is otherwise eligible then expeditious steps be taken within a further period of six weeks to grant the benefit of recruitment. 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 applicant within a period of two weeks.

5. With the aforesaid observation and direction, 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 paperbook be transmitted to Respondent No. 4, for which, he undertakes to deposit the cost with the Registry within a week.

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

(A.K.Patnaik)
Member(J)