

LIBRARY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

Calcutta Bench

O.A.No. 350/1609 of 2018 ;

(• Asima Sahoo,

Wife of Mantu Sahoo & Mantu Kumar Sahoo,

all are
residing at Village- Battala, P.O.-

Tajpur, Police Station - Nandigram,

District - Purba Medinipur,

Pin Code No. 721631.

.....Applicant

-Versus-

1. Union of India,

service through the General

Manager, South Eastern Railway,

11, Garden Reach Road,

Kolkata- 700 043.

2. The General Manager,

South Eastern Railway,

11, Garden Reach Road,

Kolkata-700043.

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3. The Railway Board,

Ministry of Railway,

Government of India, Rail Bhaban,

New Delhi-110001.

4. The Chairman,

Railway Board, Ministry of Railway,

Government of India, Rail Bhaban,

New Delhi-110001.

5. The Divisional Railway Manager (T)

South Eastern Railway, Kharagpur

Division, D.R.M. Building, Post

Office - Kharagpur, District -

Baschim Medinipur,

Pin Code No. 721301.

6. The Land Acquisition Officer-cum-

Competent Authority, Deshpren to

Nandigram, B.G. Line, Post Office

Contai, District - Purba Medinipur, Pin

Code No. 721430.

...Respondents

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1609/2018
M.A/350/794/2018

Date of Order: 31.01.2019

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

Asima Sahoo & Another -vs- S.E Railway

For the Applicant(s): Mr. P. Guria, Counsel

For the Respondent(s): Mr. B. L. Gangopadhyay, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Mr. P. Guria, Ld. Counsel for the applicants, and Mr. B.L. Gangopadhyay, Ld. Counsel appearing for Official Respondents, in extenso.

2. M.A.No. 794/2018 filed for joint prosecution of this case is allowed and disposed of.
3. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

“ i) Issue a direction upon the concerned respondents, each one of them their men, agents subordinates to forthwith appoint the applicant in suitable posts according to the Notification of Railway authority for acquisition of Land regarding construction of Railway Line Deshapran to Nandigram Special Project.

ii) Issue an order directing the respondents, each one of them their men, agents, subordinates to certify and transmit to this Hon'ble Tribunal relevant documents pertaining to the present case so that conscionable justice may be administered by directing them to forthwith appoint the applicant in suitable posts in the pay scale according to the notification of Railway regarding construction of Railway Line Deshapran to Nandigram Special Project.

iii) Costs of and/or incidental to this application to borne by the respondents.

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iv) Such further and/or other order or orders be passed and/or direction or directions be given, as to this Hon'ble Tribunal may deem fit and proper."

4. The sum and substance of case of the applicant, as narrated by Ld. Counsel for the applicant, is that the applicants are aggrieved as the respondent/Railway authorities despite having acquired their land for constructions of railway line Deshapran to Nandigram Special Project and in spite of issuance of Land Loser Certificate are not giving them appointment/employment under land loser quota even after assuring them to give employment assistance. Ld. Counsel for the applicant submitted that ventilating her grievance applicant No.1 has preferred a representation dated 10.09.2018 (Annexure-A/7), which has not yet been considered. He further submitted that grievance of the applicants may be redressed if Respondent No.1 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. 1 to consider the representation of the applicant No.1 under Annexure-A/7, 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 the applicants is found to be genuine then expeditious steps be taken within a further period of six weeks to give appointment. 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 two weeks.

7. With the aforesaid observation and direction, this O.A. stands disposed of.

No costs.



8. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 1, for which, he undertakes to deposit the cost with the Registry within a week.
9. Copies of this order be handed over to the Ld. Counsel for the parties.

(A.K.Patnaik)
Member(J)

RK/PS

