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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

PARTICULARS OF THE APPLICANT:

CHANDAN KUMAR, son of Ram Janam Paswan, aged about 36 years,
Village - Nasaratpur, Post Office - Mour, District - Shekhpura, Bihar, Pin
811 101.

..... APPLICANT

V E R S U S

- i) The Union of India through the General Manager, South Eastern Railway, Garden Reach Road, Kolkata 700 043
- ii) The Chief Personnel Officer, South Eastern Railway, Garden Reach Road, Kolkata 700 043
- iii) The Chairman, Railway Recruitment Cell, South Eastern Railway, Garden Reach Road, Kolkata 700 043

..... RESPONDENTS

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1700/2018

Date of Order: 20.11.2018

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

Chandan Kumar –Vs- S.E Railway

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

Ms. P. Mondal, Counsel

For the Respondent(s): Mr. M. K Bandyopadhyay, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Mr. A. Chakraborty, ld. Counsel for the applicant.

2. Mr. M.K Bandyopadhyay, ld. Counsel, who usually appears for the S.E Railways is present and on my request, ld. Counsel for the applicant has served a copy of the O.A along with annexures on him as I do not want the departmental respondents to go unrepresented. Heard Mr. M.K Bandyopadhyay, in extenso.

3. 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 include the name of the applicant and thereafter to call him in the medical test.

b) An order do issue directing the respondent s to grant appointment in favour of the application if he is found fit in the medical test.”

4. The brief facts of the case, as narrated by Ld. Counsel for the applicant, is that the applicant had applied for appointment in the Group D post in South Eastern Railway as per Employment Notice No. SER/RRC/02/2012 and admit cards were issued and the applicant appeared for the written test as well as the PET and was declared suitable. Thereafter, Document verification was conducted and a panel of successful candidates was prepared but the applicant's name was not included in

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the successful panel. Ld. counsel for the applicant submitted that ventilating his grievance the applicant had preferred representation under Annexure A/3 before the Respondents No. 3 but that has not been considered. He further submitted that the grievance of the applicant may be redressed, if the Respondent No. 3 is directed to consider his 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 applicant under Annexure A/3, if the same has been filed and is pending before him for consideration, and pass a reasoned and speaking order as per rules and regulations in force 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 case of the applicant for appointment, as claimed by him, is found to be genuine then expeditious steps be taken within a further period of six weeks to extend that benefit. I also 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 at the admission stage. No costs.

7. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paper book be transmitted to Respondent No. 3 by Speed Post, 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)