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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA

O.A. No 350/1829/2018

PARTICULARS OF THE APPLICANT:

Prasanna Kumar Patra, son of late Bansidhar Patra, aged about 66 years,
residing at Village Bisei Khunta, Satyanagar, Post Office - Balasore,
District - Balasore, Oddisa, Pin 756001

..... APPLICANT

V E R S U S -

- i) Union of India, through the General Manager, South Eastern Railway, Garden Reach Road, Kolkata 700 043
- ii) The Chief Personnel Office, South Eastern Railway, Garden Reach Road, Kolkata 700 043
- iii) The Divisional Railway Manager (P), South Eastern Railway, Kharagpur Division, Post Office Kharagpur, District - Pasachim Midnapur, Pin 721301

.....RESPONDENTS

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1829/2018

Date of Order: 18.12.2018

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

Prasanna Kumar Patra -vs- UOI & Ors.

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

For the Respondent(s): Mr. C.S.Bag, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

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

2. Mr. C.S.Bag, Ld. Counsel who usually appears for the S.E.Railways, is present in the Court and, on my advice, Ld. Counsel for the applicant has served copy of this O.A., along with annexures, on Mr. Bag as I do not want the Official Respondents to go unrepresented. Heard Mr. Bag in extenso, who has accepted the brief on my request.

"An order do issue directing the respondents to antedate the date of promotion of the applicant in the post of JE I with effect from 07.10.2005 since selection for the said post was conducted in 2005 and selected candidates were given benefit of promotion with effect from the said date and to grant all consequential benefits."

3. The brief facts of the case of the applicant as enumerated by the Ld. Counsel are that the applicant received a certificate dated 13.03.2008 issued by Principle S&T Training Center, Kharagpur, which shows that he successfully completed training in the Post of JE (Signal). The applicant was reverted from the post of JE, Gr.(I)(S) (Adhoc) to the post of JE Grade-II vide order dated 11.01.2008. It has been submitted that applicant has completed training in the promotion course for JE



Grade-II to JE Grade-I w.e.f. 14.11.2008. Ld. Counsel for the applicant submitted that the applicant was nominated for undergoing promotional course training at IRISE/SC from 06.10.2008 to 14.11.2008 and he was informed that on successful completion of training his promotional aspect will be considered. It has been further submitted that junior to the applicants were promoted as JE-I w.e.f. 11.06.2007. Ld. Counsel for the applicant submitted that ventilating his grievance the applicant has preferred representation on 05.09.2018 under Annexure A/8 before Sr. Divisional Personnel Officer, S.E.Railway, but that has not yet 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.

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. 3 to consider the representation of the applicant under Annexure A/8, if the same has been filed and is pending 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 applicant's case is found to be genuine and he is otherwise entitled then he may be given the benefit of promotion within a further period of six weeks. 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 applicant within two weeks.


5. With the aforesaid observation and direction, this O.A. stands disposed of at the admission stage. 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. 3 by Speed Post, for which, he undertakes to deposit the cost with the Registry within a week.



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



(A.K Patnaik)
Member (J)

RK/PS