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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH, KOLKATA

O.A. 350/1721/2018

PARTICULAR OF THE APPLICANT:

Pratap Bhowmick, Son of Late Gunadhar Bhowmick, aged about 45 years, working as Group 'D' employee under SSE (P Way) East, Santragachi, South Eastern Railway, residing at Village - Jolpai, Post Office - Nowpala, District - Howrah, Pin Code No. 711303

..... APPLICANTV E R S U S

- I. The Union of India, through the General Manager, South Eastern Railway, Garden Reach Road, Kolkata 700043
- II. The Divisional Personnel Officer (I), South Eastern Railway, P.O. - Kharagpur, District - Purba Midnipur 721301
- III. The Senior Section Engineer (P. Way), Santragachi, South Eastern Railway, P.O. - Baksara, District Howrah. 711101

..... RESPONDENTS

we

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1721/2018

Date of Order: 12.02.2019

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

Pratap Bhowmik -vs- S.E Railway

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

Ms. P. Mondal, Counsel

For the Respondent(s): Mr. A. K Banerjee, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J.)

Heard Mr. A. Chakraborty, Ld. Counsel for the applicant. Mr. Chakraborty submitted that he has already sent copy of the O.A., along with annexures, to the Respondents.

2. As no-one appears on behalf of the Respondents and Mr. A.K. Banerjee, Ld Counsel, who usually appears for the S.E. Railways, is present in the Court, on my request, Mr. Chakraborty has served copy of the O.A., along with annexures, on him as I do not want the Official Respondents to go unrepresented. Heard Mr. A.K. Banerjee, in extenso.

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

"An order do issue directing the respondents to fix of the pay of the applicant in the grade pay of Rs. 1800 w.e.f. June 2017 and to grant arrears and all consequential benefits since he has possessed requisite qualification."

Wd

4. The case of the applicant, in brief, as narrated by Ld. Counsel is that applicant was provisionally appointed as Trainee Group-D on 04.07.2016. His grievance is that although he has passed the Madhyamik Examination in June, 2017 and as such he is eligible to get the Grade Pay of Rs. 1800/- as per the Railway Board Circular but the same has not been granted to him till date.

5. Mr. A.K.Banerjee, Ld. Counsel for the Respondents, vehemently opposed the arguments advanced by Mr. Chakraborty, Ld. Counsel for the applicant.

6. During the course of hearing, Mr. Chakraborty prayed liberty of this Tribunal to ventilate applicant's grievance by making a comprehensive representation to Respondent No.2 within a period of two weeks.

7. After hearing Ld. Counsel for both the parties, without going into the merit of the matter, I dispose of this O.A. granting liberty to the applicant to make a comprehensive representation, annexing relevant documents and judgment, if any, before Respondent No.2 within a period of two weeks from the date of receipt of copy of this order and, in case, any such representation is preferred within a period of two weeks from the date of receipt of copy of this order then Respondent No.2 is directed to consider the same, as per the rules governing the field and communicate the result to the applicant in a well reasoned order within a period of six weeks from the date of receipt of the said representation. If after such consideration the grievance of the applicant is found to be genuine then expeditious steps may be taken by the Respondents to enhance the Grade Pay of the applicant No.2 within a further period of six weeks from the date of such consideration.

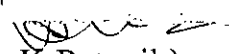
8. With the aforesaid observation and direction, this O.A. stands disposed of.
No costs.

Wle

-4-

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

Applicant is granted liberty to annex a copy of this order, along with his representation to be preferred before Respondent No.2.


(A.K. Patnaik)
Member(J)

RK/PS

