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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH, KOLKATA

O. A. No. 350/1671/2018

PARTICULARS OF THE APPLICANTS:

1. Pratap Kr. Mandal, son of late Sridam Mondal, aged about 43 years, working as Khalasi Helpers, under Senior Section Engineer, South Eastern Railway, Kolaghat, residing at Village Dakhin Katal, P.O. - Panskura, District - Purba Midnapur, Pin 721139.
2. Madan Mallick, son of late Paltu Ram Mallick, aged about 50 years, working as Khalasi Helpers, under Senior Section Engineer, South Eastern Railway, Kolaghat residing at Village Bar Burisha, Post Office - Khalaghat, District - Purba Medinipur, Pin 721152

..... APPLICANTS

V E R S U S

- i) Union of India, through the General Manager, South Eastern Railway, Garden Reach Road, Kolkata 700043
- ii) The Assistant Dvidisional Engineer, South Eastern Railway, Panskura, R.S., Post Office Panaskura, Disgtrict - Purba Medinipur, Pin 721152

..... RESPONDENTS

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CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

O.A/350/1671/2018  
MA/350/827/2018

Date of Order: 15.11.2018

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

Pratap Kumar Mandal & Another  
-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

O R D E R ( O R A L )

A.K Patnaik, Member (J):

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

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 copy of the O.A. on him. Heard Mr. Bandyopadhyay in extenso.
3. M.A.No. 827/2018 filed for joint prosecution of this case is allowed and disposed of.
4. 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 give effect to the result of trade test published on 27.9.2018 by the Assistant Divisional Engineer, South Eastern Railway, Panskura and to grant promotion in favour of the applicants in the post of Technician Grade-III  
b) Leave may be granted to file this Original Application jointly under Rule 4(5)(a) of the CAT Procedure Rule 1987.”

5. The case of the applicants are that while working as Khalasi Helpers, they appeared in the Trade Test conducted for promotion to the post of Technician Grade-III and came out successful. Their grievance is that although a panel was prepared on 27.09.2018, they are not being given promotion. Ld. Counsel for the

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applicants submitted that ventilating their grievance the applicants have preferred representation under Annexure-A/2 on 28.09.2018 before Respondent No.2. Ld. Counsel for the applicants submitted that the grievance of the applicants may be redressed if Respondent No.2 is directed to consider their representation within a specific time frame keeping in mind the panel dated 27.09.2018 (Annexure-A/1).

6. 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. 2 to consider the representation of the applicants under Annexure-A/2, if the same has been filed and is pending before him for consideration, keeping in mind Annexure-A/1 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 consider the applicants are found to be entitled to get the benefit of promotion then expeditious steps be taken within a further period of six weeks to extend those benefits. 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.

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. 2 by Speed Post, 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)