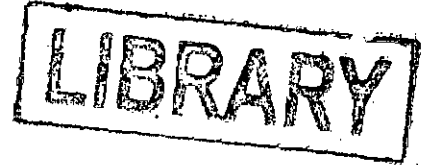


CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



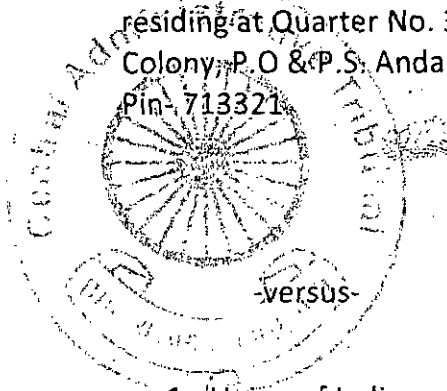
OA. 350/152/2019
MA. 350/85/2019

Date of order: 27.02.2019

Present :Hon'bleMs.Bidisha Banerjee, Judicial Member
Hon'bleDr.NanditaChatterjee, Administrative Member

1. Kishori Routh, son of late Kartick Routh, aged about 60 years, working as Shuntman, Grade-I under Chief Yard Master, Andal, Eastern Railway, Asansol, residing at Quarter No. 397/B, Damodar Colony, P.O & P.S. Andal, District- Burdwan, Pin- 713321.
2. Chandan Routh, son of Kishori Routh, aged about 22 years, by occupation unemployed, residing at Quarter No. 397/B, Damodar Colony, P.O & P.S. Andal, District- Burdwan, Pin- 713321.

.....Applicants.



- versus-
1. Union of India, service through the General Manager, Eastern Railway, Fairlie Place, 17, N.S. Road, Kolkata-700001.
 2. Divisional Railway Manager, Eastern Railway, Asansol Division, Asansol, Dist- Burdwan, Pin- 713301.
 3. Senior Divisional Personnel Officer, Eastern Railway, Asansol Division, Asansol, Dist- Burdwan, Pin- 713301.
 4. Chief Yard Master, Eastern Railway, Andal, Asansol Division, Dist- Burdwan, Pin- 713321.

.....Respondents.

For the Applicant : Mr. B. Chatterjee, Counsel

For the Respondents : Mr. S. K. Das, Counsel

O.R.D.E.R. (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard both.

2. In term of the earlier speaking order dated 17.05.2018 issued by Sr. Divisional Personnel Officer, Eastern Railway, Asansol which reflects that the applicant was ordered for re-examination and advised to report to Divisional Railway Hospital, Eastern Railway, Asansol for the same, it transpires that the applicant was re-examined and found fit in 'A-2' category but thereafter the respondents have not passed any order in regard to the appointment since they are under an impression that they are prevented from passing any order in terms of the direction of the Hon'ble Apex Court to the Board to revisit the scheme. However, it appears that the Railway Board has revisited the scheme and issued two separate order bearing no. 150/2018 and 151/2018 which would govern the right of the LARGESS scheme applicants.

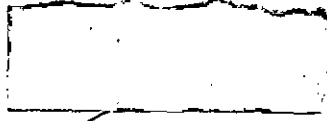
3. Accordingly, without entering into the merit of this matter, we direct the respondent authorities to consider the case of the applicant in terms of the report of re-medical examination and in the light of the orders being no. 150/2018 and 151/2018, and pass an appropriate reasoned and speaking order within a period of 4 weeks from the date of communication of this order. Decisions so arrived at shall be communicated to the applicant forthwith.

4. Ld. Counsel for applicant seeks liberty to challenge the speaking order dated 17.05.2018 which was never communicated to the applicant. In view of the direction (supra) we feel it appropriate to allow the applicant to challenge it afresh.

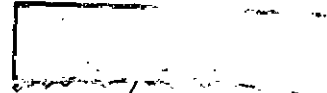
OA 152/2019
MA 85/2019.

5. Thus the OA is disposed of. Accordingly MA also stands disposed of.

There will be no order as to costs.



(Dr. Nandita Chatterjee)
Member (A)



(Bidisha Banerjee)
Member (J)

pd

