



**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA**

No. O.A. 350/00262/2019

Date of order: 11.04.2019

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Narayan Chandra Das, son of Shri Niranjana Kumar Das, residing at Vill – Sauli bat tala road, Chandan Nagar, Dist- Hooghly, Pin- 712 136, W. B. working as Crew Controller under control of Sr. Crew Controller, E. Rly. Howrah.

..... Applicant

- VERSUS -

1. The Union of India, Through the General Manager, Eastern Railway, 27, N. S. Road, Kolkata – 1.
2. The Chief Personnel Officer, Eastern Railway, 17 N. S. Road, Kolkata – 1,
3. Divisional Railway Manager, E. Railway, Howrah, Pin- 711 101,
4. Senior Divisional Personnel Officer, Divisional Personnel Officer, E. Railway, Howrah, Pin- 711 101.
5. Sr. Divisional Elect. Engineer (OP)/TRS, E. Rly. Howrah, Pin- 711 101.
6. Divisional Finance Manager, E. Rly. Howrah, Pin- 711 101.

..... Respondents.

7. Deb Kumar Kundu
8. Debasis Dutta-I  
Both working as Loco Pilot- Passenger/Motorman (Elect.) under authority of the Sr. Crew Controller, E. Rly. Howrah.

..... Proforma Respondents.

For the Applicant : Mr. B. R. Das, Counsel  
Mr. K. K. Ghosh, Counsel

For the Respondents : Mr. K. Sarkar, Counsel

*Signature*

**ORDER (Oral)**

**Per Dr. Nandita Chatterjee, Administrative Member:**

The applicant has approached the Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

"8(i) Step up the pay of the petitioner on a parity with his juniors, the Proforma Respondents w.e.f. 27.09.2011, if not from 01.01.2006, or any other day thereafter.

(ii) Refix the pay of the applicant in the decategorised post as on 08.10.2016 on the basis of the pay of the petitioner as on 01.07.2016 (8.10.2016) having been stepped up as prayed for in (i) above.

(iii) Consider the representations (A5) by passing appropriate orders so as to allow stepping up of the pay of the petitioner and refixation of pay as Crew Controller w.e.f. 8.10.2016, with all arrears thereof, forthwith.

(iv) Certify that transmit the entire records and papers pertaining to the applicant's case so that after the causes shown thereof conscionable justice may be done upto the applicant by way of grant of reliefs as prayed for in (i) and (ii) above.

(iv) Pass such other order/orders and/or direction/directions as deemed fit and proper.

(v) Costs."

2. Heard Id. Counsel for both sides, examined documents on record. The matter is taken up at the admission stage.

3. The applicant's submissions, as articulated through his learned counsel, is that the applicant was appointed by the respondent authorities as Assistant Loco Pilot on 28.04.1988 and subsequently promoted as Loco Pilot Pass/Motorman (Elect) on 09.08.2000.

That, private respondent nos. 7 & 8, who were appointed at later points of time, namely, 18.07.1988 and 01.07.1988 respectively and also promoted only on 27.09.2011 to the post of Loco Pilot Pass/Motorman (Elect) were, however,

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allowed higher fixation of pay upon implementation of 6<sup>th</sup> CPC recommendation with effect from 01.01.2006.

That, the applicant has preferred representations before the concerned authorities seeking re-fixation and stepping up of pay from the date of promotion of his juniors and such representations dated 13.01.2017 & 15.05.2018 (annexed at Annexure A5/1 & A5/2 to the OA) are yet to be considered by the respondent authorities.

Ld. Counsel for the applicant submits that the applicant would be fairly satisfied if a direction is issued to the concerned respondent authority to dispose of the representations of the applicant in a time bound manner.

4. Ld. Counsel for the respondents does not object to consideration of such representations as per law.

5. Accordingly, without entering into the merits of the matter, and with the consent of the parties, we hereby direct the respondent No. 4, namely, the Sr. Divisional Personnel Officer, Eastern Railway, Howrah to decide on the representations of the applicant dated 13.01.2017 & 15.05.2018 respectively, if received at his end, within a period of eight weeks from the date of receipt of a copy of this order and to dispose of the same with a reasoned and speaking order with reference to the Provisions of RS (RP) Rules, 2008. The decision so arrived at is to be communicated to the applicant forthwith and if the applicant is entitled to any consequential benefits, the said benefits are to be released within a further period of six weeks thereafter.

6. With these directions, the O.A. is disposed of. No costs.

  
(Dr. Nandita Chatterjee)  
Administrative Member

  
(Bidisha Banerjee)  
Judicial Member

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