

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**



O.A/350/496/2019

Date of Order: 26.08.2019

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Sri Partha Pratim Pal, son of Late Manoj Kumar Pal, working as Sr. Inspector at Supervisor Training Centre, Eastern Railway/Kanchrapara, Pin Code No. 743145, and residing at Basanbala Abasan, flat No. B/2, 2nd Floor, 172, Basanta Babu Road, P.O Kanchrapara (Near Janata High School), P.O Kanchrapara, Dist: 24 Parganas (North), Pin Code No. 743145.

--Applicant.

Versus

1. Union of India, through General Manager, Eastern Railway, 17, NS Road, Kolkata 700001.
2. The Principal Chief Personnel Officer, Eastern Railway, Fairlie Place, Kolkata 700001.

--Respondents

For The Applicant(s): Mr. N. Roy, counsel

For The Respondent(s): Mr. A. Mondal, counsel

O R D E R (ORAL)

Per: Ms. Bidisha Banerjee, Member (J):

Heard both.

2. This OA has been filed to seek the following reliefs:

- "a) To issue direction upon the respondents to consider the representation dtd. 7.9.18 for MACP benefit according to R. B. Circular No. 29/2018 forthwith.
- b) To issue further direction upon the respondents according to RB Circular No. 29/2018 dt. 27.2.18, the prayer for MACP benefit may be given and Annexure A13 may be implemented and extended to the applicant benefit for MACP according to RB Circular No. 29/2018.
- c) To issue further direction upon the respondents to give MACP benefit w.e.f 19th October, 2017 to the applicant forthwith.
- d) Any other order or further order or orders as deem fit and proper under the circumstance of the case.
- e) To produce Connected Departmental Record at the time of Hearing."

3. Since, seeking identical relief, the applicant has already preferred a representation dated 07.09.2018 to the Respondent No. 3 which is yet to be disposed of, and as no fruitful purpose would be served by calling for a reply in this matter, unless the representation dated 07.09.2018 is decided by the competent authority, we dispose of the OA with a direction upon the concerned Respondent no. 3 or any other competent authority to consider the representation, decide the claim of the applicant and issue a reasoned and speaking order in accordance with law within a period of 3 months from the date of receipt of copy of this order. In the event the applicant is found entitled to the relief as prayed for, an appropriate order in accordance with law be issued within the said period.

4. It is made clear that we have not entered into the merits of this matter and therefore, all points are kept open for consideration by the respondents.

5. OA is accordingly disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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