

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH  
KOLKATA



OA. 350/635/2019

Date of order: 19.06.2019

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

Bhakti Bhusan Sen, son of Sakhil  
Charan Sen, residing at Vill- Santinagar,  
Post Office- Santinagar, Dist- Nadia, Pin-  
741502.

.....Applicant.

-versus-

1. Union of India, through the General  
Manager, Eastern Railway, Fairlie  
Palace, Kolkata- 1.
2. The Principal Chief Personnel Officer,  
Eastern Railway, Kolkata, Fairlie  
Palace, Kolkata - 1.
3. The Chairman, Railway Recruitment  
Cell, C. R. Avenue, Kolkata- 12.

.....Respondents.

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. B.P. Manna, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:

This application has been filed in order to seek the following  
relief:

*"8(i) An order do issue directing the respondents to grant  
appointment to the applicant following section 36 of the persons*

with Disability (equal opportunities, Protection of rights and full participation) Act, 1995 since he was declared fit for appointment by RRC.

(ii) Declaration that the vacancies calculated for PWD candidates is not as per Section 33 of PWD Act, 1995 and an order do issue directing the respondents to calculate vacancies for PWD candidates as per Rule 33 of the PWD Act, 1995."

2. The applicant is aggrieved as he is orthopedically handicapped candidate, who applied for appointment in Eastern Railway in the post of Group - 'D' against vacancies reserved for PWD (Person With Disabilities). He had responded to Notification number EN. 0112 issued by the Eastern Railway but was not appointed.

3. Id. Counsel for the parties were heard.

4. At hearing, both the Id. Counsels would agree that the representation, preferred before the Chairman, Railway Recruitment Cell and the Chief Personnel officer, E. Rly. on 07.12.2018, which is pending for disposal before the said authorities, can be directed to be disposed of.

5. Therefore, without entering into the merits of the matter, we dispose of the OA with a direction upon the concerned respondent nos. 2 & 3 to consider the representation preferred by the applicant, within a period of 8 weeks from the date of receipt of a copy of this order. . The respondent authorities shall communicate their decision to the applicant forthwith.

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6. The OA is disposed of accordingly. No costs.

(Dr. Nandita Chatterjee)  
Member (A)

(Bidisha Banerjee)  
Member (J)

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