



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

KOLKATA BENCH

In the matter of :

O.A. No.350/ 953 2019;

And

In the matter of :

An application under Section 19
of the Administrative Tribunals
Act, 1985.

And

In the matter of :

Sri Arun Krishna Patra, son of
K.K. Patra, residing at C/o-
Bidyapati, Dhara, Ichapur
Purbapara, P.O.- Santragachi,
P.S.- Jagacha, District- Howrah,
PIN- 711104;

... Applicant

-Versus-

1. The General Manager, South
Eastern Railway, 11, Garden
Reach Road, Kolkata- 700043.


2. The principal Chief Personnel
officer S.E. Railway, Garden reach
KOLKATA

3. The ~~Senior~~ ~~Assistant~~

Personnel Officer, South Eastern
Railway, Kharagpur, P.O.-
Kharagpur, District- Paschim
Medinipore, PIN- 721301;

4. The Asst. Personnel Officer,
S.E. Railway, Santragachi, P.O.-
Jagacha, District- Howrah, PIN-
711111;

... Respondents



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

No.O A.350/953/2019

Date of order : 07.08.2019

Coram : Hon'ble Mrs. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

ARUN KRISHNA PATRA
VS.
UNION OF INDIA & OTHERS
(S.E. Railway)

For the applicant : Mr. S.K. Bhowmik, counsel

For the respondents : Ms. S. Choudhury, counsel

ORDER

Bidisha Banerjee, Judicial Member

This application has been preferred to seek the following reliefs:-

- "a) An order or direction be issued upon the respondents to stepping up of his pay on a par with Sri Subrata Kr. Biswas, Sr. Motorman/TPKR;*
- b) To direct the respondents to pay all arrear arising out of stepping up of the applicant's pay in terms of RBE-28/2010;*
- c) To pass any order or further order/orders as to Hon'ble Tribunal may seem fit and proper."*

2. Ld. counsels were heard and materials on record were perused.
3. A letter dated 05.11.2018 was issued on behalf of Principal Chief

Personnel Officer to the Senior Divisional Personnel Officer, South Eastern Railway, Kharagpur which reads as under:-

"In reference to the above, the representation of Sri Arun Krishna Patra, Sr. Motorman/TPKR dated 02.10.2018 has been carefully examined and observed that his date of effective seniority in Sr. Goods Driver in scale Rs.5500-9000/- has now shown as 04.06.1998 instead of 12.8.1999 vide Reference 1 above.

Accordingly, his name is deleted from Srl. No.45 of this office letter under Reference -2 above and incorporated in between Srl. No.27 and 28 i.e.

in between Sri Arunava Khan and Sri Subrata Kr. Biswas and assigned position at 27A in the integrated seniority list for AEE(70%) selection."

Since the applicant has been assigned seniority above one, Subrata Kr. Biswas, he has prayed for stepping up of pay on par with said Sri Subrata Kr. Biswas vide his representation dated 12.01.2019 as contained in Annexure A/5.

4. At hearing Id. counsel for the applicant would invite our attention to a representation dated 09.10.2018 which has not been disposed of till date. Id. counsel for the applicant would submit that his client would be satisfied if a direction is given to consider the said representation.

5. Accordingly without entering into the merits of the matter and having seen that his seniority has been assigned only on 05.11.2018, we direct the Senior Divisional Personnel Officer or any other competent authority to look into the grievance of the applicant, consider his prayer for stepping up of pay on par with Sri Subrata Kumar Biswas and pass a reasoned and speaking order within 3 months. In the event the applicant is found eligible for such stepping up, appropriate orders be issued within the said period.

6. The O.A. is thus disposed of at the admission stage itself with consent of the parties. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member