

19.7

O.A-350/954/2019

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH, KOLKATA

PARTICULARS OF THE APPLICANT:

AMIT KUMAR DEY, son of Sri Indu Kishore Dey, aged about 37 years,  
*and now under Superannuity fort.*  
working as Constable in Railway Protection Force, under Security  
Commissioner, CLW, residing at Aurovindo Nagar, Road No. 3, Circular  
Road, Post office - Hindustan Cables, District - Paschim Barddhaman,  
Pin 713335

..... APPLICANT

V E R S U S

- i) The Union of India, General Manager, Chittaranjan Locomotive Works, P. O. - Chittaranjan, District - Burdwan West, Pin 713331
- ii) The Principal Chief Personnel Officer, Chittaranjan Locomotive Works, P. O. - Chittaranjan, District - Burdwan West, Pin 713331
- iii) The Assistant Personnel Officer, Chittaranjan Locomotive Works, P. O. - Chittaranjan, District - Burdwan West, Pin 713331

..... RESPONDENTS

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH  
KOLKATA

O.A/350/954/2019

Date of Order: 19.07.2019

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

AMIT KUMAR DEY  
VS.

UNION OF INDIA & OTHERS

For the applicant : Mr. A. Chakraborty, counsel

For the respondents : Mr. K. Sarkar, counsel

**ORDER**

**Bidisha Banerjee, Member (J):**

The applicant in this O.A. has sought for the following reliefs:-

"a) Office order no.GMA/AU/348 dated 24.05.2019 issued by Assistant Personnel Officer(HQ) on behalf of Principal Chief Personnel Officer in respect of the applicant cannot be sustained in the eye of law and therefore the same may be quashed;

b) An order do issue directing the respondent to make efforts to locate suitable alternation post in respect of the applicant in accordance with RBE 89/1999 and decision given by the Medical Board."

2. His grievance in a nutshell is as under:-

He was performing the duty of Constable in the grade pay of Rs.2400/- Medical Board opined that he may be provided with alternative sedentary job on medical ground. He was reverted due to medical decategorisation whereas the Railway Board has issued a Circular which provides for grant of alternative appointment protecting pay scale and service benefits. He has cited a decision of this Tribunal in respect of one, Biswanath

Murmu as was affirmed by the Hon'ble High Court. His representation ventilating his grievance has not been disposed of.

3. At hearing, Id. counsel for the applicant would submit that he would be satisfied if a direction was issued to the Principal Chief Personnel Officer, Chittaranjan Locomotive Works, Chittaranjan being Respondent No. 2, to consider the pending representation in accordance with law and to dispose it of within a time frame.

4. Accordingly, without entering into the merits of the matter, we dispose of the O.A with a direction upon the Respondent No. 2 to consider the representation dated 27/05/2019 (Annexure A/7) and dispose it of with a reasoned and speaking order in accordance with law, within a period of 3 months from the date of receipt of a copy of this order. No costs.

(Dr.Nandita Chatterjee)  
Administrative Member

(Bidisha Banerjee)  
Judicial Member