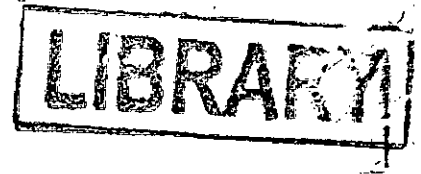


CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH  
KOLKATA



OA. 350/1002/2019  
MA. 350/552/2019

Date of order: 20.08.2019

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

**Ujjwal Chowdhury & 3 Ors.**  
**Vs.**  
**Eastern Railway**

For the Applicant : Mr. S. Roy, Counsel

For the Respondents : Mr. T. K. Chatterjee, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:

MA. 552/2019 filed by the applicants for joint prosecution is allowed.

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

8.1. *To consider and allow the representation dated 26.04.2019 made by the applicants to the respondent authority upon fixing the seniority position of your applicants which was prevalent as on 07.04.2008 and 08.12.2016 vis-à-vis the judgment passed by Hon'ble Central Administrative Tribunal, Calcutta Bench dated 26.08.2004 passed in OA. 420/88 and provision of Rule 214(ii) and Rule 312 of Indian Railways Establishment manual.*

8.2. *To re-fix the seniority position of your applicants and to step up in hierarchy of promotion as a consequence thereto in view of the fact that juniors to applicants had superseded the applicants in seniority and granted promotion to the higher post.*

8.3. *Leave may be granted to move this application jointly against the same cause of action under Rule 4(5)(a) of the Central Administrative Tribunal Rules, 1987.*

8.4. *Show cause in terms of prayer 8.1 and 8.2 and after hearing and cause make the rule absolute.*

8.5. *A direction as to costs of the proceedings to the applicants.*

8.6. *Any further order or orders, direction or directions as the Hon'ble Tribunal may deem fit and proper for the ends of justice."*

3. Heard ld. Counsel for both sides and perused the materials placed on record.

4. Ld. Counsel for applicant submits that the applicant had preferred a representation on 26.04.2019 in regard to erroneous placement in the seniority list of Technician Gr. II under Sr. DEE (G)/HWH which has not yet been disposed of by the respondent authorities.

5. Ld. Counsel for applicant also submits that he would be satisfied if a direction is given to the Respondent No. 4 or any other competent authority to dispose of the representation of the applicant in a time bound manner.

6. Therefore, without entering into the merits of the matter, we dispose of the OA with a direction upon the concerned respondent no. 4 or any other competent authority to consider and dispose of the representation of the applicant within a period of 2 months from the date of receipt of copy of this order. The decision will be taken be communicated to the applicant forthwith.

7. The O.A. is accordingly disposed of. No costs.

**(Dr. Nandita Chatterjee)**  
**Member (A)**

**(Bidisha Banerjee)**  
**Member (J)**

pd