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**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

O.A/350/1041/2019

Date of Order: 26.08.2019

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

Sri Soumitra Chakraborty, son of Late Sushil Kumar Chakraborty, aged about 61 years, working for gain as Ex. Divisional Personnel Officer, Eastern Railway, Sealdah, residing at 26, Tarun Sengupta Sarani, Italgachha, Kolkata – 700079.

Applicant

Versus

1. Union of India, service through the General Manager, Eastern Railway, 17, Netaji Subhas Road, Kolkata 700001.
2. The Chief Personnel Officer, Eastern Railway, 17, Netaji Subhas Road, Kolkata 700001.

Respondents

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

For The Respondent(s): Mr. R. Roy, counsel

ORDER (ORAL)

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

Heard both.

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

"a) Direct the concerned railway authority, particularly the Chief Personnel Officer, Eastern Railway, Kolkata Head Quarter, the respondent No. 2 for implementation of notional increment due on and from 1st July, after full working of twelve months uninterrupted service as per order dated 15th September, 2017 passed by the Hon'ble High Court, Madras Bench in W.P. No. 15732 of 2017 and also as per order dated 23rd July, 2018 passed in Special Leave Petition (Civil), Diary No. (S) 22283 of 2018 by the Hon'ble Supreme Court of India.

b) By considering the representation dated 12th December, 2018, submitted by the applicant before the Chief Personnel Officer, Eastern Railway Kolkata and also Demand of justice submitted through Learned Lawyer of the applicant dated 15th march, 2019 before the said authority forthwith.

c) Any other order or orders as to the Hon'ble Tribunal may seem fit and proper."

3. Since, seeking identical relief, the applicant has already preferred a representations dated 12.12.2018 followed by demand of justice through Learned Advocate dated 15.03.2019 to the Respondent No. 2 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 representations dated 12.12.2018 and 15.03.2019 is decided by the competent authority, we dispose of the OA with a direction upon the concerned Respondent No. 2 or any other competent authority to consider the representations, 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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