

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA



No. O.A. 1150 of 2019  
M.A. 648 of 2019

Date of order: 4.9.2019

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

1. Chittaranjan Mahato,  
Son of Late Shyamapada Mahato,  
Aged about 57 years,  
Working as Ad-hoc Junior Engineer (Mechanical),  
Under Chief Mechanical Engineer (Steel Foundry),  
Chittaranjan,  
Residing at Village - Chinakuri,  
P.O. Sunder Chak,  
P.S. Kultik,  
District - Paschim Bardhaman,  
Pin - 713360.
2. Suvranshu Sarkar,  
Son of Late Suchangshu Sekhar Sarkar,  
Aged about 55 years,  
Working as Ad-hoc Junior Engineer (Mechanical),  
Under Chief Mechanical Engineer (Steel Foundry),  
Chittaranjan,  
Residing at Street No. 9,  
Quarter No. 11A,  
P.O. & P.S. - Chittaranjan Hill Colony,  
District : Paschim Bardhaman,  
Pin - 713331.
3. Pankaj Ranjan,  
Son of Late Sudhir Prasad Singh,  
Aged about 51 years,  
Working as Ad-hoc Junior Engineer (Mechanical),  
Under Chief Mechanical Engineer (Steel Foundry),  
Chittaranjan,  
Residing at Kangoi,  
P.O. & P.S. Mihijam,  
District - Jamtara, Jharkhand,  
Pin - 815354.

..... Applicants

- V E R S U S -

1. Union of India,

*hch*

Through the General Manager,  
Chittaranjan Locomotive Works,  
Chittaranjan District Paschim Bardhaman,  
Pin - 713335.

2. The Secretary,  
Railway Board,  
Railway Bhawan,  
New Delhi - 110 001.

3. The General Manager,  
Chittaranjan Locomotive Works,  
Chittaranjan,  
District - Paschim Bardhaman,  
Pin - 713335.

4. The Principal Chief Personnel Officer,  
Chittaranjan Locomotive Works,  
Chittaranjan,  
District: Paschim Bardhaman,  
Pin - 713335.

For the Applicants

For the Respondents

Mr. B. Chatterjee, Counsel

Mr. K. Sarkar, Counsel

Respondents

**ORDER (Oral)**

**Per Dr. Nandita Chatterjee, Administrative Member:**

The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:-

"(a) An order directing the respondent authorities to treat the applicants as Regular Junior Engineers (Mechanical) w.e.f. 5.9.2017 as was done in case of other Ad-hoc Junior Engineers of Electrical Wing by Order dated 12.6.2018 who were similarly placed with the applicants in the facts and circumstances of the case.

(b) An order directing the respondent authorities to grant all consequential benefits to the applicants.

(c) An order directing the respondents to produce/cause production of all relevant records.

(d) Any other order or further order/orders as to this Hon'ble Tribunal may seem fit and proper."

*hnh*

2. Heard both ld. Counsel, examined documents on record. The matter is taken up at the admission stage.

3. An M.A. bearing No. 648 of 2019 has been filed by the applicants praying for liberty for joint prosecution. On being satisfied that the applicants share a common interest and are pursuing a common cause of action, we allow this prayer in terms of Rule 4(5)(a) of Central Administrative Tribunal (Procedure) Rules, 1987.

The M.A. is disposed of accordingly.

4. The applicants' submissions, as made through their Ld. Counsel, is that the respondents are not regularizing the services of the applicants as Junior Engineer, although similarly placed adhoc Junior Engineers have been regularized vide orders dated 12.6.2018 in pursuance to an order of the Hon'ble Apex Court.

Although the applicants had represented on 22.8.2018 for regularization in their services as Junior Engineer with consequential benefits, despite lapse of more than a year, the applicants have not been favoured with any response or decision of the respondent authorities.

Ld. Counsel for the applicant would therefore urge that the applicants would be fairly satisfied if a direction is issued on the respondent authorities to dispose of the pending representation in a time bound manner.

5. Ld. Counsel for the respondents does not object to disposal of such representation in accordance with law.

6. Accordingly, without entering into the merits of the matter, and, with the consent of the parties, we hereby direct the respondent No. 4, who is the Principal Chief Personnel Officer, Chittaranjan Locomotive Works, Chittaranjan, to examine the contents of the representation dated 22.8.2018 (Annexure A-14 to the O.A.), if received at his end, and to

*[Signature]*

decide in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. The decision arrived at should be conveyed in the form of reasoned and speaking order forthwith thereafter to the applicants; and, in case the decision of the authorities supports the cause of the applicants, consequent benefits are to be released within a further period of 16 weeks thereafter.

7. With these directions, the O.A. is disposed of. No costs.

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

**(Bidisha Banerjee)**  
**Judicial Member**

**SP**

