

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

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Date of order: 18.11.2019

Present : Hon'ble Dr. Nandita Chatterjee, Administrative Member
Hon'ble Mr. Swarup Kumar Mishra, Judicial Member]

No. O.A. 441 of 2015

(1) Shri Arun Kumar Das,
Son of Sadhan Kumar Das,
Aged about 39 years,
Residing Vill. - Balarampur,
P.O. Balia,
P.S. Chakdaha,
Dist. Nadia,
Pin - 741 223.

(2) Sri Binay Paul,
Son of Khudiram Paul,
Aged about 37 years,
Residing at Vill. & P.O. Amdope,
P.S. Bagdah,
Dist. North 24 Parganas,
Pin - 743 251.

No. O.A. 1495 of 2014

(1) Shri Nirmal Kumar Dhali,
Son of Tapan Kumar Dhali,
Aged about 26 years,
Residing - Village - Purba Majherhat,
Post Office - Chhayana,
District - 24 Parganas (South),
Pin - 743376.

(2) Sri Deb Kumar Biswas,
Son of Siddeswar Biswas,
Aged about 27 years,
Residing at Hudadigambarpur,
Post Office, Digambarpur,
Dist. Nadia,
Pin - 741 508.

(3) Sri Nabin Sarkar,
Son of Niranjan Sarkar,
Aged about 30 years,
Residing at B-14, Budbed Kolony,
Post Office - Kalyani,
District - Nadia,

66/

Pin - 741 235.

(4) Sri Liton Kumar Sarkar,
Son of Dilip Kumar Sarkar,
Aged about 32 years,
Residing at
Village - Baranilpur Bacharhat,
Post Office - Sripally,
District - Burdwan,
Pin - 713 103.

(5) Sri Atikul Islam Sk.,
Son of Abdul Mannan Sk.,
Aged about years,
Residing at Village Soli,
Post Office - Biknampur,
Police Station - Nakashipara,
District - Nadia,
Pin - 741 126

... Applicants

VERSUS

1. The Union of India,
Through General Manager,
Eastern Railway,
Kolkata - 700 001.

2. The Chairman,
Railway Recruitment Cell,
56, C.R. Avenue,
Kolkata - 700 012.

3. The Assistant Personnel Officer,
Recruitment,
Railway Recruitment Cell,
56, C.R. Avenue,
Kolkata - 700 012.

... Respondents

For the Applicants : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. A.K. Guha, Counsel

hsl

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Both these O.A.s have been taken up for adjudication in a common order as they are based on similar facts and involves common points of law. In both these O.A.s, the applicants have prayed for the following relief:-

"(i) An Order do issue directing the respondent to adjust the applicants against the vacancies meant for PWD(VH) and PWD(HH) in pursuance of the principle of inter se - exchange.

(ii) Leave may be granted to file this Original Application jointly under Rule 4(5)(a) of the CAT (Procedure) Rules, 1987."

2. Heard both Ld. Counsel, examined pleadings and documents on record.

3. Both Ld. Counsel would submit that both the matters can be disposed of by according liberty to the applicants to prefer a comprehensive representation to respondent No. 2, who is the Chairman, Railway Recruitment Cell, 56, C.R. Avenue, Kolkata - 700 012 to dispose of their claim in the light of orders passed in O.A. No. 196/2013, O.A. No. 195/2013, O.A. 235/2013, O.A. 1393/2013, O.A. 1394/2013, O.A. No. 350/00478/2014, O.A. No. 350/00047/2014 and O.A. No. 350/00642/2014 along with M.A. 441/2013, as issued by this Tribunal on 30.6.2014 (Annexure A-8 to the O.A.).

4. Accordingly, without entering into the merits of the matter, the applicants are granted liberty to prefer comprehensive representations within three weeks from the date of receipt of a copy of this order. Once so preferred, the competent respondent authority, namely, respondent No. 2, shall thereafter consider the prayer of the applicants in the light of this Tribunal's order passed in O.A. No. 196/2013, O.A. No. 195/2013, O.A. 235/2013, O.A. 1393/2013, O.A. 1394/2013, O.A. No. 350/00478/2014, O.A. No. 350/00047/2014 and O.A. No.

hch

350/00642/2014 along with M.A. 441/2013 within a further period of 16 weeks from the date of receipt of such representations.

5. With these directions, the O.A.s are disposed of. No costs.

(Swarup Kumar Mishra)
Judicial Member

18.11.15

(Dr. Nandita Chatterjee)
Administrative Member

SP

