

# LIBRARY

## CENTRAL ADMINISTRATIVE TRIBUNAL KOLKATA BENCH, KOLKATA

O.A/350/1372/2016

Date of Order: 13.11.2019

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



1. PRALAY KUMAR SANTRA, Son of Late Ranjit Kr. Santra, Village : Jalapara. P.O Paltagarh District : Hooghly, PIN : 712409.
2. SUKUMAR KHAN, Son of Late Sadananda Khan, Working as OS (after Senior DEE(OP)/TRS at Howrah, Presently residing at 618, G.T. Road, V.I.P Apartment, Flat No. 109, Serampore, Distt. Hoogly, Pin : 712201.
3. ROMDIP SANTRA, Son of Late Benoy Kumar Santra, Presently residing at Hupukur Muchipara, G.I.P Colony Jagacha
4. BIDYUT DAS, Son of Late Brojudulal Das, Presently residing at 12/131, M.L.B Road. P.O Bally, Howrah, PIN : 711201.
5. GOUTAM KUMAR SAHA, Son of Late Manik Chandra Saha, Residing at 104, R.C Das Road, Rani Sayer South East, Burdwan, Pin : 713101.
6. SIBARAM RAKSHIT Son of Sri Chittaranjan Ramshit Residing at Railway Qr. 390/E, Loco Chartala More, Loco Colony, Burdwan, Pin : 713101.
7. KAMAL SETH, Son of Late Biswmanth Seth, Residing at Sukanta Pally, Khanpukur, Burdwan, Pin 713101.
8. PRASANT GHOSH, Son of Sri Shibaram Ghosh, Residing at Kamalakanta Kalibari Lane, P.O Nutangang, Burdwan, Pin 713102.
9. RAJKUMAR CHARKRABORTY, Son of Sri Haripada Chakraborty Residing at 193/P, GT Road (West), Bahir Serampore, Hooghly, Pin 712203.
10. MRITYNJOY DAS, Son of Sahadeb Das, Residing at Vill : Rameswarpur, (Rail Gate), P.O Kalma, Burdwan Pin 713409.
11. GOUTAM PAL, Son of late Kanailal Pal, Residing at Ghoradanga, P.O Batanagar, South 24 Parganas, Kolkata 700140.
12. SAMIRAN DATTA, Son of late Jitendra Chandra Datta, Residing at 3, Harisava Raod, P.O Nabagram, Hooghly, Pin 712246.
13. SWAPAN KUMAR DAS, Son of late Durga Charan Das, Residing at F/L 17/8/2 Jyargra Saradapally, Dakshinmarkh, Baguihati, Kolkata - 700059.

All except 2 are working as Senior Loco Pilot (Shunting) at Howrah, under Sr. DEE(OP)/TRS eastern Railway, Howrah.

.....Applicants.

## VERSUS

1. Union of India, through the General Manager, Eastern Railway, 27, Netaji Subhas Road, Kolkata – 700001.
2. Chief Personnel Officer, Eastern Railway, 17, Netaji Subhas Road, Kolkata – 700001.
3. Divisional Railway Manager, Eastern Railway, Howrah
4. Sr. Divisional Personnel Officer, Eastern Railway, Howrah
5. Sr. Divisional Elect. Engineer (OP)/TRS, Eastern Railway, Howrah.

.....Respondents.

For The Applicant(s): Mr. B. R. Das, counsel

For The Respondent(s): Ms. T. P. Sinha, counsel

O R D E R (O R A L)

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

Heard ld. counsel for both sides.

2. This O.A has been filed to seek the following relief:

- "i) Rescind, recall and/or withdraw and cancel the communication/order in Annexure-2 so as to extend the pay and allowances as Sr. Loco Pilot (Shunting) carrying the revised scale of pay w.e.f 01.01.2006.
- ii) Draw the pay and allowances of the petitioners, promoted to the post of Loco Pilot (Shunting) Grade-I, in scale of pay of Rs. 5000-8000/- from 27.04.2005 till 31.12.2005 and in the revised scale of pay of Rs. 9300-34,800/- with Grade Pay Rs. 4200/- for the period from 01.01.2006 to 29.08.2008 at par with a regular employees for all intents and purpose.
- iii) Draw the pay and allowances for the petitioners for the period as referred to in (i) and (ii) above and pay all the arrears thereof with appropriate interests, forthwith.
- iv) Certify and transmit the entire records and papers pertaining to the applicants' case so that after the causes shown thereof conscientable justice may be done unto the applicants by way of grant of reliefs as prayed for in (i) to (iii) above.
- v) Pass such other order/orders and/or direction/directions as deemed fit and proper.
- v) Costs

And your petitioners further pray that your Lordships would graciously be pleased to grant: leave to the petitioners to move jointly in view of the facts that the petitioners are similarly circumstanced and have common interest within the provision of Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987."

3. At hearing, Ld. counsel for the applicants submits that the applicants have submitted representations dated 12.09.2015, and 27.12.2015 by way of a reminder to the D.R.M, E. Rly, Howrah, but the Respondent authorities are yet to consider the same. Ld. counsel further submits that some similar circumstanced persons have preferred O.A 1601/2013 (Sisir Roy & Ors). Their case was considered by the authorities and relief was granted. Therefore, Ld. counsel prays that a similar direction may be issued to the competent respondent authority to consider their case as in the said O.A 1601/2013, to consider within a specific time frame.



4. Ld. counsel for the respondents admits that in the case of the Sisir Roy and Ors in O.A 1601/13 representations of the applicants were considered and that they were given the benefits

5. Accordingly, without entering into the merits of the matter, the O.A is disposed of by directing the Respondent No. 4 or any other competent authority to consider the case of the applicants as in the case of applicants in O.A 1601/2013, and issue 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. The decisions so arrived at shall be communicated to the applicants forthwith.

6. The present O.A accordingly stands disposed of. No costs.

(Nandita Chatterjee)  
Member (A)

(Bidisha Banerjee)  
Member (J)

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