

GAHC010012682015



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/2540/2015

THE UNION OF INDIA
REP. BY THE GENERAL MANAGER, N.F. RAILWAY, MALIGAON,
GUWAHATI.

VERSUS

ON THE DEATH OF SUBHASH BANIK HIS LEGAL HEIRS
MAYA BANIK, W/O LT. SUBHASH BANIK

1.1:SMT. MAYA BANIK
W/O LATE SUBHASH BANIK

1.2:MISS RIMA BANIK
D/O LATE SUBHASH BANIK

BOTH ARE RESIDING AT RAILWAY QUARTER NO. 31/B
T-II
ACCOUNTS COLONY
REST CAMP
PANDU
GUWAHATI-1

Advocate for the Petitioner : MS.R CHOUDHURY, MR H GUPTA,MS.R R BORAH,MSB
DEVI,MR.G GOSWAMI(Rly.Adv.)

Advocate for the Respondent : MR M K DAS, MR. B HUSSAIN(R-1(1),1(2)),MR. A K
HUSSAIN(R-1(I), 1(2)),,,

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

Date : 20.03.2025

Heard Mr. G. Goswami, learned counsel for the petitioner. Also heard Mr. A.K. Hussain, learned counsel appearing on behalf of respondent Nos. 1(1) and 1(2).

This writ petition is put to challenge the award dated 20.03.2013 passed by the Central Government Industrial Tribunal-cum-Labour Court, whereby the reference was allowed on contest in favour of the workmen and it was observed that the respondent workmen was entitled to promotion to the post of Master Craft Men (Senior Technician) w.e.f. 01.01.2006 with all benefits and allowances including the pensionary benefit. Being aggrieved the Railways has approached this Court.

Notice in the matter was issued on 06.05.2015, subsequently, Rule was issued on 11.01.2021, since, then the matter is pending before this Court.

Today when the matter is called up, it is seen that in order to decide this question certain circulars and rules are found to be referred to in the award are not available in the pleadings. Therefore, this Court is of the considered view that since the relevant papers which were before the Tribunal including evidences have not been enclosed to the present writ

petition, the Tribunal records are required to be called for perusal of the Court. Accordingly, the Registry is directed to requisition the Tribunal records in connection with Reference Case No.12/2008.

Let the matter be listed upon receipt of the Tribunal records on a date to be fixed by the Registry.

JUDGE

Comparing Assistant