

01 15.05.23
to
13 Ct. No. 04

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WP.CT. 11 of 2023
(Pappu Kumar Singh. Vs. Union of India & Ors.)

with

WP.CT. 72 of 2023
(Tanmoy Khanra. Vs. Union of India & Ors.)
WP.CT. 73 of 2023
(Sudeb Ghosh Vs. Union of India & Ors.)
WP.CT. 74 of 2023
(Satyen Pramanik Vs. Union of India & Ors.)
WP.CT. 75 of 2023
(Sanjit Das Vs. Union of India & Ors.)
WP.CT. 76 of 2023
(Aritra narayan Majumder Vs. Union of India & Ors.)
WP.CT. 77 of 2023
(Upen Biswas Vs. Union of India & Ors.)
WP.CT. 78 of 2023
(Asif Mallick Vs. Union of India & Ors.)
WP.CT. 79 of 2023
(Amit Kumar Ghosh Vs. Union of India & Ors.)
WP.CT. 80 of 2023
(Rafik Mallick Vs. Union of India & Ors.)
WP.CT. 81 of 2023
(Ashish Santra Vs. Union of India & Ors.)
WP.CT. 82 of 2023
(Gourab Paul Vs. Union of India & Ors.)
WP.CT. 83 of 2023
(Amit Halder Vs. Union of India & Ors.)

Mr. Ujjal Roy,
Mr. Arpa Chakraborty.

... for the petitioner
in
WP.CT. 11 of 2023.

Mr. Ashis Kumar Chowdhury,
Mr. Rajib Ghosh,
Mr. Avijit Kar.

... for the petitioners.
in
WP.CT. 72-83 of 2023.

Mr. Suman Chattopadhyay.
... for the respondents.

Pursuant to the order dated 10th May, 2023 the Senior Personnel Officer (Headquarter), South Eastern Railway is personally present in Court today. He is represented by Mr. Suman Chattopadhyay, learned

Advocate, who submits that subsequent to 30th June, 2022 and on the basis of the report submitted after an extensive study relating to the strength of the Hospital Attendant, the sanction strength was drastically reduced and, in fact, as on day more than the sanctioned strength are on role. He further submits that the record would reveal the fact as disclosed in course of hearing and if there is any inconsistency or repugnancy in the stand taken by the said Officer he tender unconditional apology for the same.

It is further submitted that all the contractual appointees like the petitioners, who were engaged to combat Covid-19, which struck globally, have not been permitted to continue after 30th June, 2022, as the situation has improved and the authority thought it fit not to engage any excess contractual appointees above the sanctioned strength of the Hospital Attendant.

Such stand prima facie appears to be in variance with the earlier stand taken in the affidavit-in-reply filed before the Tribunal as well as the instruction relied upon by Mr. Chattopadhyay on the last occasion.

We, therefore, direct the Senior Personnel Officer (Headquarter), South Eastern Railway to file an affidavit disclosing the state of affairs as on the day with supporting documents within one week after the reopening of this Court following summer vacation; a copy whereof shall be served upon the appearing Counsels two days before the filing of the said affidavit.

It goes without saying that the said affidavit shall contain the state of affairs existed on or before 30th June, 2022 and the documents in support thereof.

List the matter on 12th June, 2023.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)