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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 4079 of 2022

Tapas Banerjee & Ors.
Vs.
Union of India & Ors.

Mr. Bikash Ranjan Bhattacharyya,
Mr. Shamim Ahammed,
Mr. Arka Maiti,
Ms. Gulsanwara Pervin
.... For the petitioners.

Mr. Amitesh Banerjee,
Mr. Sanjiv Kumar Trivedi
... For the respondents.

The petitioners claim that they are working in W6 grade in the Indian Railway Catering and Tourism Corporation Limited (in short, IRCTC). The petitioners further say that they have been promoted to grade W6 by a Limited Departmental Competitive Examination. The petitioners say that they are entitled to be promoted to the post of Assistant Supervisor i.e. S1 grade on having completed more than two years of service in the feeder post but their scope for promotion to S1 grade is reduced because of notification dated 9th February, 2022. The petitioners, therefor, have approached this Court *inter alia* for setting aside the notifications dated 14th September, 2021 and 9th February, 2022.

On behalf of the respondents IRCTC Limited, it is submitted that the case of the petitioners can be

considered if the petitioners make a representation ventilating their grievances to the Group General Manager, IRCTC Limited, being the respondent no.3.

In the light of the submissions made by the parties, I direct the petitioners to make a comprehensive representation ventilating all their grievances, being the subject matter of the writ petition, to the respondent no.3, by 16th May, 2022.

In the event such representation is made within the time provided, the respondent no.3 shall consider and dispose of the same by a reasoned order addressing all issues raised, after affording the petitioners and/or a group of petitioners representing all the petitioners a reasonable opportunity of hearing within a period of four months from the date of making the said representation. The respondent no.3 shall upon passing of the reasoned order communicate the same immediately to the petitioners.

The respondent no.3 shall be free to decide independently each of the issues put forth by the petitioners before him without being influenced in any manner by the observations made in this order, since I have not gone into the merits of the matter.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without

any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted by the respondents.

Urgent Photostat certified copy of this order, if applied, for, be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)