

14.
08.8.2023
S.D.

W.P.A. 15457 of 2023

Sambhunath Chatterjee
Vs.
Union of India & Ors.

Mr. Chanchal Kumar Dey
Mr. Diganta Sikdar

..For the Petitioner

Mr. Aryak Datta
Ms. Sabita Roy

...For the Respondent No. 1

Mr. Sukumar Bhattacharyya
Mr. Arunava Ganguly

..for the Respondent Nos. 1 to 3

The petitioner seeks to claim the retiral benefits of his father, who was an employee of the Indian Railways.

Mr. Bhattacharyya, learned counsel appearing on behalf of the Union of India submits that since the petitioner's father was an employee of the Indian Railways, this Court, does not have the jurisdiction to receive, try and entertain the writ petition, at the first instance.

Considering the submissions of the parties and the materials placed on record, this Court is of the view that the appropriate Tribunal under the Administrative Tribunals Act, 1985 is the Court at first instance.

A beneficial reference may be made to the Apex Court Judgment in the case of **L. Chandra Kumar vs. Union of India & Ors.** reported in (1997) 3 SCC 261.

Accordingly, **W.P.A. 15457 of 2023** is **dismissed as not pressed.**

It is made clear that this Court has not gone into the merits of the writ petition.

Parties will be at liberty to take appropriate steps, if so advised.

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained in the present petition are deemed not to have been admitted by the parties.

All parties shall act on the server copy of this order duly downloaded from the official **website** of this Court.

(Lapita Banerji, J.)