



**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA**

O.A. No. 350/00827/2019

Order dated: 07.01.2020



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

Sri Jiten Shit, son of Sri S. Shit,
Retired from service under CPWD and
Residing at Village Gouribari, P.O. Krishna nagar,
P.S. Barjora, District Bankura,
Pin Code No. 722202.

..... Applicant.

Versus

1. Union of India through the Secretary,
Ministry of Housing & Urban Affairs,
New Delhi – 110001.

2. The Chief Engineer,
C.P.W.D, Govt. of India,
Kolkata Central Division No.6,
Nizam Palace, Kolkata-700020.

3. The Executive Engineer,
Kolkata Central Division No.6,
Nizam Palace, Kolkata-700020.

4. The Assistant Engineer,
Durgapur Central Sub Division,
C.P.W.D/Durgapur- 722202.

..... Respondents.

For the applicant : Mr. N.Roy Counsel

For the respondents : Ms. P.Goswami, Counsel

ORDER (Oral)

Bidisha Banerjee, Judicial Member

Heard Ld. Counsels for both the parties.

2. The applicant has preferred this O.A. to seek the following reliefs:

"(a) To issue direction upon the respondents to consider representation, dtd. 26.4.18 for Pay Fixational benefit, be given forthwith.

(b) To issue further direction upon the respondents, the applicant is seniormost, the applicant's basic pay is Rs.36,400/- to his junior person namely Sri Raju Gowala, MTS, his basic pay Rs. 39,800/-, according to that the applicant basic pay and fixational benefit may be fixed properly forthwith.

(c) To issue further direction upon the respondents, namely Sri Dinabandhu Bhattacharja, junior to the applicant his basic pay Rs. 37,500/-, but applicant basic pay is Rs. 36,400/-. According to that the applicant basis pay and fixational benefit, may be fixed properly forthwith.

(d) Any other order or further order or orders as Learned Tribunal deem fit and proper under the circumstances of the case.

(e) To produce connected Departmental Record at the time of hearing."

3. Ld. Counsel for the applicant, at hearing, would draw our attention to the communication dated 30.11.2018, which shows that Shri Raju Gowala is senior to the applicant whereas the applicant is claiming that Shri Gouala is junior to him and is drawing more pay than him. The applicant has already retired from service on superannuation on 30.06.2018.

4. It appears from the communication dated 30.11.2018 that the matter has been referred to higher authority for disposal and it is yet to be disposed of. Accordingly, we dispose of this O.A. with direction upon the competent authority to look into the grievance of the applicant as projected in his representation and pass a reasoned and speaking order in accordance with law within a period of four weeks from the date of receipt of a copy of this order. It is made clear that we have not entered into the merits of the case.

5. O.A. is accordingly disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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