



**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH, KOLKATA**

OA Nos. 350/302 to 310/2017

Order dated: 19.12.2019

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



1. O.A. 350/302/2017 Shri Apurba Kumar Mukherjee,
Son of late Sudhir Kumar Mukherjee,
Aged about 60 years,
Working as Lower Division Clerk,
Residing at AE-563, Salt Lake City,
Kolkata 700 064, West Bengal.
2. O.A. 350/303/2017 Shri Chhabi Chaudhury Bose,
3. O.A. 350/304/2017 Shri Amit Kumar Chakraborty,
4. O.A. 350/305/2017 Shri Dilip Kumar Banerjee,
5. O.A. 350/306/2017 Shri Nemai Das,
6. O.A. 350/307/2017 Smt. Sumitra Nag,
7. O.A. 350/308/2017 Shri Bidyut Ganguli,
8. O.A. 350/309/2017 Smt. Debi Choudhury (NeeBhowal),
9. O.A. 350/310/2017 Shri Chuni Dutta

..... Applicants.

Versus

I. The Union of India,
through the Secretary,
Ministry of Health and Family Welfare,
New Delhi 110001.

II. The Secretary,
Ministry of Finance,
Department of Finance,
New Delhi 110 001.

III. The Director General,
India Council of Medical Research,
Ansari Nagar,
New Delhi 110029.

IV. The Indian Council of Medical
Research represented by its Secretary,
Department of Health Research,
Aswani Nagar,
New Delhi 110 029.

V. The Director,

IPGMER, Kolkata 244,
A.J.C. Bose Road,
Kolkata 700020.

VI. Assistant Director General (Admn),
ICMR Ansari Nagar,
New Delhi 110 029.

..... Respondents.



For the applicant : Mr. A.Chakraborty, Ms. T.Das, Counsel

For the respondents : Mr. A.P.Deb, Counsel

ORDER

Bidisha Banerjee, Member (J):

Heard Ld. Counsels for both the parties and perused the materials on record.

2. Since identical pleas have been raised and identical relief has been claimed, all the matters are taken up analogously for hearing to be disposed of by a common order. For the sake of brevity, facts in O.A.No. 302/2017 are delineated.
3. The O.A. has been preferred to seek the following reliefs:

“(i) Speaking order No. 163/Legal Cell/2014 dated 02.02.2017 issued by Assistant Director General (Admn) ICMR/New Delhi, cannot be sustained in the eye of law and same may be quashed.

(ii) An order to issue directing the respondent to absorb the applicant in the post of Lower Division Clerk within effect from the date of initial appointment and to grant all consequential benefits.”

4. At hearing, Ld. Counsel for the respondents submitted that the case of the applicants is under active consideration.
5. We find that the letter dated 27.02.2018, produced by the Ld. Counsel for the applicant, reads as under:

“Sub: Request for regularization of post at par with ICMR.

Please refer to representation letter of Dr. Kumkum Mathur, RO dated: 8 Dec.2017 on the subject mentioned above.

I am directed to inform you that the proposal for regularization of 116 staff of HRRC Project is under process for consideration with DHR/Department of Expenditure for approval. The decision the same is still awaited."

6. Ld. Counsel for the applicant claims that all the applicants are the staff of HRRC Project under ICMR and they fall within the 116 staff mentioned in the aforesaid letter. Since the matter of their regularization is admittedly and evidently under active consideration with DHR/Department of Expenditure, O.A. can be disposed of with direction upon the respondent authorities to consider the claim of all the 116 staffs as referred to in the communication dated 27.02.2018, and pass appropriate orders in a time bound manner.

7. Accordingly, without entering into the merits of the matter ~~and~~ ^{but B} with the consent of the parties, we dispose of all the O.As. with direction upon the respondent authorities to consider the regularization of all the 116 staff including the present applicants as reflected above, in accordance with law, and issue appropriate orders, as expeditiously as possible, preferably within a period of six months.

8. With the aforesaid observation and direction, the O.A. stands disposed of. No costs.

(Dr. Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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