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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

O.A/350/1240/2019

Date of Order: 11.12.2019

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

Partha Pratim Kar, D/85, Flat No. 1A, First Floor,
Post Office – Jadavpur University, Baghajatin,
Kolkata – 700032.

--Applicant
Versus

1. Union of India, through the Secretary, Ministry of Defence, South Block, New Delhi – 110001.
2. Controller Defence Accounts (P.D), Belvedre Complex, Ayudh Path, Meerut Cantonment-110010.
3. Controller General Defence Accounts, Ulan Batar Marg Palam, Delhi Cantonment, New Delhi – 110010.
4. PCDA (Pension) Draupadi Ghat, Allahabad, U.P Pin – 21014.
5. The Officer-In-Charge, Admin, P.C of A (Fys), 10A, S.K.Bose Road, Kolkata – 700001.

--Respondents

For The Applicant(s): Mr. A. K. Das, counsel

For The Respondent(s): Mr. R. Halder, counsel

O R D E R (O R A L)

Per: Ms. Bidisha Banerjee, Member (J):

Heard Ld. counsel for both sides.

2. This OA has been filed to seek the following relief:

- "a) An order directing the respondents to regularize entire period of suspension from 13.01.1995 to 10.01.1999 with arrears of pay and allowances, Bonus from 1994-1995 to 1998-1999.
- b) An order to release Death Cum Retirement Gratuity as payable on retirement from service on 31.01.2010.
- c) An order to release Arrears of pay and allowances for the period 01.03.2002 to 31.01.2010 as payable on implementation of ACP grade promotion.
- d) An order to release Leave encashment and arrears of Pay and Allowances after implementation of ACP grade promotion in terms of qualifying Supervisory Accounts Examination ACP held on 29.04.2002.
- e) An order to effect appropriate correction of Pension Entitlement in the P.P.O. Any other order or direction as it may be deemed fit and proper by your Lordships for granting relief to the applicant under law, equity and natural justice."

3. Since, seeking identical relief, the applicant has already preferred a representation dated 21.11.2018 Annexure A-2 to the O.A, followed by reminders Dated 14.02.2019, 25.03.19 and through his Ld. counsel dated 30.05.2019, to the Respondent authorities which is yet to be disposed of, and as no fruitful purpose would be served by calling for a reply in this matter, unless the representation dated 21.11.2018 Annexure A-2 to the O.A, is decided by the competent authority, we dispose of the O.A with a direction upon the concerned Respondent authority to consider the representation, decide the claim of the applicant and issue a reasoned and speaking order in accordance with law within a period of 3 months from the date of receipt of copy of this order. In the event the applicant is found entitled to the relief as prayed for, an appropriate order in accordance with law be issued within the said period.

4. It is made clear that we have not entered into the merits of this matter and therefore, all points are kept open for consideration by the respondents.

5. OA is accordingly disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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