

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 040/00099/2021

Date of Order: This, the 1st April 2021

THE HON'BLE SMT. MANJULA DAS, MEMBER (J)

THE HON'BLE MR. NEKKHOMANG NEIHSIAL, MEMBER (A)



1. Sri Sankar Kumar Bhadra
Superintendent (Retired)
CGST & Customs
CGST Division, Dhubri
Resident of Masterpara (Vivekananda Colony)
P.O. – Kamakhyaguri, Dist – Alipurduar
West Bengal – 736202.
2. Sri Dipak Chakraborty
Superintendent CGST (Agartala) Retired)
Resident of Arabinda Saran
P.O. – Arundhuti Nagar
Agartala, Tripura (West), Pin – 799003.
3. Sri Banibrata Chakraborty
Superintendent CGST (Retired)
Resident of Nikinja Apartment
(Opposite Durga Sankar Pathsala)
Ambikapatty, Silchar, Pin – 788004.
4. Sri Adhip Dutta Choudhury
Superintendent CGST (Retired)
GST & Customs, Guwahati Zone
Resident of 28 Azad Hind Road
Lane No. 5, Silchar – 788007.

... Applicants

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- Versus -

1. The Union of India
Through the Secretary to the
Government of India
Revenue Department
Ministry of Finance, New Delhi – 110001.
2. The Central Board of Excise & Customs
Through the Chairman
Department of Revenue
North Block, New Delhi – 110001.
3. The Chief Commissioner
Goods and Services Tax & Customs
Guwahati Zone, GST Bhawan
5th Floor, Kedar Road
Guwahati – 781001.
4. The Department of Personnel & Training
Through it's Secretary
New Delhi – 110001.



...Respondents.

For the Applicant : Sri S. Nath & G.J. Sharma

ORDER (ORAL)

MANJULA DAS, MEMBER (J):-

Since all these four applicants are seeking similar relief from the same respondents, hence their prayer for joining together in a single application under Rule 4(5)(a) of CAT (Procedure) Rules, 1987 is hereby allowed.

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2. By this O.A., applicants are seeking for the following reliefs:-

"8.1 That the Hon'ble Tribunal be pleased to declare that the applicants are entitled to the benefit of stepping up of their pay at par with their juniors in the light of the judgment and order dated 31.07.2014 passed by the CAT, Calcutta Bench in O.A. No. 568 of 2012 and O.A. No. 802/2012 which have been upheld by the Hon'ble Calcutta High Court and the Hon'ble Supreme Court.

8.2 That the Hon'ble Tribunal be pleased to direct the respondents to grant benefit of stepping up of pay of the applicants at par with their juniors with all consequential benefits including re-fixation of their pension with arrear monetary benefits.

8.3 Any other relief (s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

8.4 Costs of the application."



3. At the outset of moving the petition, Sri S. Nath, learned counsel appearing for the applicants informed that applicant No. 2 submitted a representation on 22.06.2018 to the Chief Commissioner, CGST & Customs, Shillong for stepping up of pay of ACP/MACP at par with his junior incumbent. He also submitted another reminder on 22.10.2018. Sri Nath also informed that applicant No. 3 submitted a representation before the

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respondent authority i.e. Chief Commissioner, CGST & Customs, Guwahati Zone, Guwahati on 21.11.2020 and applicant No. 4 submitted his representation on 18.11.2020 to grant them benefits of stepping up of their pay at par with their juniors. According to the learned counsel, all these representations are still pending with them. Sri Nath suggested that applicants will be satisfied if a direction is issued upon the respondents to consider and dispose of the aforesaid pending representations submitted by the applicants within a time frame.



4. By accepting the prayer made by Sri S. Nath, learned counsel for the applicant, without going in to the merit of the case and without issuing notice upon the respondents, we hereby direct the respondent authorities, particularly before whom, said representations are pending, to consider and dispose of the pending representations by passing a reasoned and speaking order within a period of three months from the date of receipt a copy of this order.

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5. Whatever decisions to be passed by the respondent authorities, shall be communicated to the applicants forthwith.

6. With the above directions, O.A. stands disposed of at the admission stage. No order as to costs.



(NEKKHOMANG NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

PB

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