



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/350/745/2021

Date of Order: 28.07.2021

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

Utpal Choudhury, son of Late Jashoda Ranjan Choudhury, aged about 59 years, working as Assistant, Debts Recovery Tribunal-2, Kolkata, residing at C/o. Chandan Ghosh, Flat No. 4A, 4th Floor, 329, Dum Dum Park, Kolkata- 700055.

...Applicant

-VERSUS-



1. Union of India service through the Secretary to the Govt. of India, Ministry of Finance, Department of Financial Services, Banking Division, Jeevan Deep Building, Parliament Street, New Delhi-110001.

2. The Chairperson, Debts Recovery Appellate Tribunal, Kolkata, 9, Old Post Office Street, 7th Floor, Kolkata-700001.

3. The Presiding Officer, Debts Recovery Tribunal-2, Kolkata, 42C, Jawaharlal Nehru Road, "Jiban Sudha Building", 7th Floor, Kolkata-700071.

4. The Registrar, Debts Recovery Tribunal-2, Kolkata, 9, Old Post Office Street, 7th Floor, Kolkata-700001.

5. The Registrar, Debts Recovery Tribunal-2, Kolkata, 42C, Jawaharlal Nehru Road, "Jiban Sudha Building", 7th Floor, Kolkata-700071.

6. The Assistant Registrar, Debts Recovery Tribunal-2, Kolkata, 42C, Jawaharlal Nehru Road, "Jiban Sudha Building", 7th Floor, Kolkata-700071.

...Respondents

For The Applicant(s): Mr. S. K. Datta, counsel
Ms. A. Roy, counsel

For The Respondent(s): Ms. E. Banerjee, counsel

ORDER (ORAL)

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

Heard ld. counsel for both sides.

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2. This application has been filed to seek the following reliefs:

"a) An order directing the respondents to issue necessary order for absorption of the applicant as Recovery Inspector/Assistant in DRT-2, Kolkata immediately w.e.f. the date he was entitled to be absorbed as per Order dated 18.06.2012 passed in O.A. No. 625 of 2007.

b) An order directing the respondents to release and pay the Salary of the applicant as due and payable to him since September 2019 with interest.

c) An order directing the respondents to pay regular Salary of the applicant as well as to consider his case for further Service benefits including promotions after absorption.

d) An order directing the respondents not to withhold the Salary of the applicant and to pay the same regularly.

e) An order directing the respondent authorities to grant all consequential benefits to the applicants.

f) An order directing the respondents to produce/cause production of all relevant records.

g) Any other order or further order/orders as to this Hon'ble Tribunal may seem fit and proper."



3. At hearing, Ld. counsel for the respondents would produce a communication dated 22.07.2021/16.07.2021, addressed to the ld. counsel from the department, enclosing draft affidavit of compliance to the directions of this Tribunal dated 05.07.2021 and 21.05.2021. Such communication is taken on record.

4. Ld. counsel for the applicant would submit that the payment has been granted in favour of the applicant, however, he would prefer a fresh O.A seeking regularisation from the date of deputation alongwith other consequential benefits. For that, he would come up with a separate O.A for the time being.

5. Ld. counsel for the respondents submits that the applicant has not placed his objection during his service period and court proceedings.

6. Accordingly, without entering into the merits of the matter, we disposed of this O.A by granting liberty to the applicant to prefer a fresh O.A seeking regularisation from the date of deputation alongwith other consequential benefits with a direction upon the respondents to consider the same and release all admissible dues, if not already released, in accordance with law.

7. The present O.A stands disposed of accordingly. No costs.



(Nandita Chatterjee)
Member (A)

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(Bidisha Banerjee)
Member (J)