

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH  
KOLKATA



OA. 350/568/2015

Date of Order: 25.03.2021

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member

*Avijit Nandy & 4 Others.*  
Vs.  
*Union of India & Ors. (Defence)*

For the Applicant : Mr. A. Chakraborty, Counsel  
Ms. P. Mondal, Counsel

For the Respondents : Ms. P. Goswami, Counsel

O R D E R ( Oral )

Per Ms. Bidisha Banerjee, JM:

This matter is taken up Single Bench in terms of Rule 154 Appendix VIII of Central Administrative Tribunal of Rule of Practice, 1993, as no complicated question of law is involved and with the consent of both the parties.

2. Heard ld. Counsel for both sides.
3. This OA has been preferred by the applicants to seek the following reliefs:

*"8. An order do issue directing the respondent authorities to appoint the applicants to the post of Mechanists with same grade with seniority, Gun & Shell Factory, Cossipore from the date their Juniors were appointed as a case of direct recruitment or on the basis of transfer in Public interest from Ordnance Factory, Chanda to Gun & Shell Factory, Cossipore and to grant consequential benefits.*

4. At hearing, ld. Counsel for applicants submitted that the applicants have prayed for granting of benefits in the light of the decision of this Tribunal in OA. 1026/2012(**Sri Banti Banik v. Defence**) decided on 13.09.2013. However, it transpires that a single applicant has sought for such benefit.

5. Ld. Counsel for applicants would therefore pray for liberty on behalf of all the applicants to prefer comprehensive representation citing the said decision and seeking consideration in the light thereof.

6. Ld. Counsel for respondents does not have any objection if representation is preferred seeking benefits and the same is directed to be disposed of in accordance with law and in accordance with the decision cited supra.

7. Therefore, the OA is disposed of with liberty to the applicants to prefer individual comprehensive representations to respondent no. 3 i.e. the General Manager, Gun & Shell Factory, Cossipore seeking transfer in terms of the decision in OA. 1026 of 2012, within a period of 4 weeks from the date of receipt of a copy of this order. In the event such representations are preferred, the competent respondent authority shall decide the same in the light of the decision cited supra and an order would be passed on their claim within a period of 3 months thereafter.

8. In the event the applicants found eligible for the relief as prayed for, an appropriate reasoned and speaking order shall be passed within the said period.

9. It is made clear that I have not entered into the merit of the matter and therefore all the points to be raised in the representation shall be open for consideration.



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



(*Bidisha Banerjee*)  
Member (J)

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