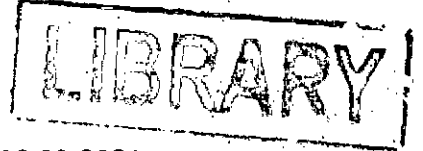


CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



Date of Order: 03.08.2021

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

1. OA. 350/1010/2021 PRANAB KUMAR SAHA
2. OA. 350/1044/2021 ASHES CHAKRABORTY
3. OA. 350/1045/2021 DEBASHIS GHOSH
4. OA. 350/1049/2021 INDRAJIT BANDOPADHYAY
5. OA. 350/1050/2021 ANANJAN CHATTOPADHYAY
6. OA. 350/1051/2021 SITANTA KR. BISWAS
7. OA. 350/1052/2021 HEMABRATA BOSE
8. OA. 350/1053/2021 SOUVIT GOSWAMI
9. OA. 350/1055/2021 AGNES TOPPO
10. OA. 350/1056/2021 SAIKAT BISWAS
11. OA. 350/1057/2021 SUBHRA MUKHERJEE
12. OA. 350/1060/2021 RANJAN JOSEPH
13. OA. 350/1061/2021 PRABIR KR. BHADRA
14. OA. 350/1063/2021 NIVEDITA SEN
15. OA. 350/1064/2021 DHANANJAY OJHA
16. OA. 350/1065/2021 PRADIP BAG
17. OA. 350/1066/2021 PHILOMENA SORENG
18. OA. 350/1071/2021 PRANATI BISWAS DE
19. OA. 350/1072/2021 ASHISH KUMAR BAKSHI
20. OA. 350/1073/2021 AYAN BANDOPADHYAY
21. OA. 350/1074/2021 PRABIR KUMAR SARKAR
22. OA. 350/1075/2021 AMIT SAHA
23. OA. 350/1076/2021 TANMOY HALDER
24. OA. 350/1077/2021 AMITABH SANKAR
25. OA. 350/1078/2021 SUKANTA CHAKRABORTY
26. OA. 350/1079/2021 CHINMAY CHATTOPADHYAY



B

VS-**Union of India & Ors. (Central Excise & Customs)**

For The Applicant(s): Mr. A. Chakraborty, Counsel
Ms. P. Mondal & Mr. Argha Chakraborty, Counsels

For The Respondent(s): NONE

ORDER (ORAL)

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

This matter is taken up by Single Bench in view of the revised list dated 04.04.2000 issued under Sub-Section (6) of Section 5 of the Administrative Tribunals Act, 1985 and as no complicated question of law is involved this matter is taken up for disposal at the admission stage.



Affidavit of service is taken on record.

Heard Ld. Counsel for the applicant. Despite service, none appears on behalf of the respondents. Ld. Counsel for the applicant begs an innocuous prayer for consideration of the representation. Since we have disposed of identical matters on the same issue without calling for any reply, rule 16(1) of the CAT (Procedure) Rules 1987 is invoked to pass appropriate orders.

2. Due to parity in the nature of grievance, facts pleaded and relief claimed, these cases are being heard out analogously, upon due notice and with consent of all the sides, to be disposed of by this common order.

3. For the sake of brevity, OA No. 1010/2021 is being delineated and discussed hereunder:

This O.A 1010/2021 has been preferred to seek the following relief:

"8.i) Memorandum dated 11.02.2009 (Annexure A/4) cannot be sustained in the eye of law and the same may be quashed.

ii) An order do issue directing the respondents to pass necessary orders to extend the benefit of fixation at Grade Pay of Rs. 5400/- in PB-2 upon completion of 4 years of regular service in the Grade Pay of Rs. 4800 in PB-2 to such of those officers who had got the Grade pay of Rs. 4,800/- on upgradation under ACP Scheme as granted in the case of M. Subramaniam

in WP No. 13225 of 2010 dated 06.09.2010 affirmed by the Hon'ble Apex Court of India along with all consequential and incidental benefits thereto along with grant of arrears at an earliest.

iii) Costs and Incidentals.

iv) Pass such further or other order or orders and other reliefs as may be deemed fit and proper in the peculiar facts & circumstances of the present case."

The applicants are thus primarily seeking benefit of the decision in *M. Subramaniam* in WP No. 13225 of 2010 dated 06.09.2010. It also transpired that identical applications have been disposed of already, are such being *Shiladitya Maitra & Ors* in OA/350/358/2019.



4. At hearing, ld. counsel for the applicants would submit that he would be fairly satisfied if a direction is issued to the concerned respondent authority to consider and dispose of the pending representation in the light of the decision rendered in *Shiladitya Maitra & Ors* in OA/350/358/2019 and to issue appropriate order.

5. Accordingly, without calling for reply, I dispose of the O.A by directing the competent respondent authority to consider and dispose of the pending representation in the light of OA/350/358/2019 (*Shiladitya Maitra & ors*) supra, within 4 weeks from the date of receipt of a copy of this order and pass appropriate order.

6. In the event the applicants are found entitled to the relief as sought for, identical benefits shall be extended in terms of the judgment supra, within 3 months thereafter.

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

8. The present OAs accordingly stand disposed of. No costs.

(*Bidisha Banerjee*)
Member (J)

UJ/SS