

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

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O.A/350/1087/2021

Date of Order: 12/08/2021

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



Smt. Rina Das Alias Rina Bit wife of Shri Bijan Das and daughter of late Lalit Kumar Bit aged about 64 years, worked as Yoga Teacher at Kendriya Vidyalaya, Cossipore, 4, Dum Dum Seven Tanks Estate, Kolkata - 700002, since retired on superannuation on 30.08.2017 since residing at Swamijeebally, APC Roy Road, P.O. Birati, P.S. Nimta, North 24 Parganas, Pin - 700051.

...Applicant

-Versus-

1. Union of India, service through the Chairman, Kendriya Vidyalaya Sangathan, Shastri Bhavan, New Delhi - 110115.
2. The Commissioner, Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi - 110016.
3. The Dy. Commissioner (Per.), Kendriya Vidyalaya Sangathan, EB Block, Labony - Sector I, Salt Lake City, Kolkata - 700064.
4. The Principal, Kendriya Vidyalaya, Cossipore, 4, Dum Dum Seven Tanks Estate, Kolkata - 700002.

...Respondents

For The Applicant(s): Mr. J. R. Das, Counsel

For The Respondent(s): Mr. R. N. Bag, Counsel

O R D E R (O R A L)

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

Heard Ld. Counsel for both sides.

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



- i) An order directing the respondents to amend/quash the office order dated 27/30.11.2015, being irrelevant following order/letter dated 09.06.2011 to allow the applicant with revision of pay scale to the extent of Rs. 6500-10500/- w.e.f. 21.9.1981 at entry level, Senior scale to the scale of Rs. 7450-11500/- w.e.f. 21.9.1993 after 12 years and then selection grade @ Rs. 9300-34800/- with GP Rs. 4800/- w.e.f. 21.9.2005/1.1.2006 and 3rd MACP w.e.f. 21.9.2011 at still higher grade on completion of 30 years following appointment on 21.9.1981 as per rules.
- ii) An order directing the respondents to extend the benefits of the Judgement and order in OA 391 of 2016 dated 05.02.2021 (Sri Gunadhar Santra –vs. Union of India & Ors) dated 05.02.2021 being similarly situated and alike;
- iii) An order/direction directing the respondents to make a total review of his career prospects of the applicant and make suitable review/correction of her pay and allowances allowed throughout her career vis-à-vis allowing of conformity to the KVS guidelines as also 6th CPC benefits since due.
- iv) An order/direction directing the respondents to re-fix/re-calculate her pension and pensionary benefits following upward revision of her pay and allowances and fix/calculate pension and pensionary benefits on such enhanced basic pay on the date of retirement and pay the arrears of difference of pay and allowances as also pension and pensionary benefits with due interest thereon as per rule in the interest of justice.
- v) An order directing the respondents to place all relevant records before the Hon'ble Bench with copy to the Ld. Advocate for the applicant for conscientable justice.
- vi) Costs and incidentals;
- vii) Any other order or further order/orders and/or direction/directions as to this Hon'ble Tribunal seem fit and proper.

3. At hearing, Ld. Counsel for the applicant would submit that he would be fairly satisfied in a direction is issued to the competent authority to

consider his pending representation dated 08/03/2021 in the light of Sri Gunadhar Santra –Vs. Union of India & Ors in a time bound manner..

4. Ld. Counsel for the respondents does not have any objection is a direction is issued to the authorities to consider the representations, in accordance with law.

5. We have noted that no adverse order is under challenge and seeking identical relief, the applicant has already preferred a representation dated 08/03/2021 seeking consideration in the light of Sri Gunadhar Santra –Vs. Union of India & Ors, to the Respondent authorities which is yet to be disposed of. As no fruitful purpose would be served by calling for a reply in this matter, unless the representation is decided by the competent authority, we dispose of the OA with a direction upon the competent authority to consider the representation, in the light of Sri Gunadhar Santra – Vs. Union of India & Ors, decide the claim of the applicant and issue a reasoned and speaking order in accordance with law within a period of 2 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 same period.

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

7. The OA accordingly stands disposed of. No costs.



(Nandita Chatterjee)
Member (A)

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(Bidisha Banerjee)
Member (J)