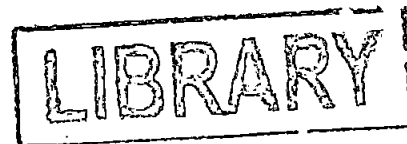


**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA
(Through audio/video conferencing)**



Date of Order: 15.09.2021

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

OA. 350/1119/2021	MURTAZA Y LODGHAR
OA. 350/1138/2021	KANU RAM HANSDA
OA. 350/1146/2021	JAYANTA KUMAR DAS
OA. 350/1147/2021	ARUP KUMAR HALDER
OA. 350/1148/2021	JYOTISH KUMAR DAS
OA. 350/1149/2021	ANIMESH RAHA
OA. 350/1151/2021	SUNIL KUMAR MAHALI
OA. 350/1157/2021	SUBHASISH MUKHERJEE
OA. 350/1158/2021	SUBHASISH MOJUMDER
OA. 350/1159/2021	PALATEL SRIVASAN NAIR
OA. 350/1160/2021	KALI CHARAN HANSDA
OA. 350/1165/2021	SUBHAS HALDER
OA. 350/1176/2021	GOURI DASGUPTA
OA. 350/1177/2021	PIJUSH KANTI GHOSH
OA. 350/1178/2021	BHASKAR NATH
OA. 350/1179/2021	JOYANTA KHAN
OA. 350/1190/2021	NAVIN SALUJA
OA. 350/1191/2021	PRABIR KUMAR NASKAR
OA. 350/1192/2021	SANJIT KUMAR SINGH
OA. 350/1193/2021	SUJIT NARAYAN SARKAR

- versus -
Union of India & Ors.



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

For The Respondent(s): None

ORDER (ORAL)

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

These matters are being taken up by this 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.

Heard ld. counsel for the applicants. Despite service, none appears on behalf of the respondents.

No adverse order is under challenge.

Ld. Counsel for the applicants makes an innocuous prayer for a direction to consider the representations. Since we have disposed of identical matters on the same issue without calling for a reply, Rule 16 (1) of the CAT (Procedure) Rules 1987 is invoked and the following order is passed.

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

3. For the sake of brevity, OA. No. 1119 of 2021 is being delineated and discussed hereunder:

This O.A. 1119 of 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 relief/s 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 transpires that identical applications have been disposed of already, one such being **Shiladitya Maitra & Ors** in OA/350/358/2019.

4. At hearing, Id. 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 a reply, I would 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.



13

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)

pd

