

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA

Date of Order: 16.12.2020

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



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|----------------------|------------------------|
| 1. OA. 1239 of 2020. | Atul Kumar Verma       |
| 2. OA. 1240 of 2020  | Prashant Kr. Gupta     |
| 3. OA. 1250 of 2020  | Abhimanoo Majhi        |
| 4. OA. 1251 of 2020  | Pemiya Khangrah        |
| 5. OA. 1258 of 2020  | Dharmendra Kr. Pandey  |
| 6. OA. 1259 of 2020  | Wasimur Rahaman        |
| 7. OA. 1260 of 2020  | Pradeep Kr. Pandey     |
| 8. OA. 1265 of 2020  | Nalendra Mochary       |
| 9. OA. 1266 of 2020  | Om Shanker             |
| 10. OA. 1267 of 2020 | Manish Kumar Pintu     |
| 11. OA. 1268 of 2020 | Hari Ram Rai           |
| 12. OA. 1269 of 2020 | Rajesh Kumar           |
| 13. OA. 1309 of 2020 | Nawal Kishore Tripathi |
| 14. OA. 1310 of 2020 | Sameer Shankar         |
| 15. OA. 1311 of 2020 | Deepak Kumar Sharma    |
| 16. OA. 1322 of 2020 | Swapan Kumar Roy       |
| 17. OA. 1323 of 2020 | Roopesh Kumar          |
| 18. OA. 1324 of 2020 | Niranjan Kumar Niraj   |
| 19. OA. 1325 of 2020 | Neeraj Katyayan        |
| 20. OA. 1326 of 2020 | Sanjay Oraon           |
| 21. OA. 1327 of 2020 | Alok Kumar             |
| 22. OA. 1328 of 2020 | Krishna Ballabh Prasad |
| 23. OA. 1329 of 2020 | Ratan Kumar Datta      |
| 24. OA. 1330 of 2020 | Md. Umar Faruque       |

25.OA.1335 of 2020	Arvind Kumar Sharma
26. OA.1336 of 2020	Samaresh Pal
27.OA.1337 of 2020	Ajit Kumar Jha
28.OA.1338 of 2020	Upendra Kumar Agrawal
29.OA.1339 of 2020	Raj Manish
30.OA.1340 of 2020	Prashant Pandey
31.OA.1341 of 2020	Dinesh Kumar
32.OA.1342 of 2020	Vinod Ekka

VS

Union of India &amp; Ors.

For The Applicant(s): Mr. A. Chakraborty, counsel  
Ms. P. Mondal, counsel

For The Respondent(s): Mr. K. K. Maity, counsel

ORDER (ORAL)

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

Heard ld. counsel for both sides.

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. 1239/2020 is being delineated and discussed hereunder:

This O.A 1239/2020 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(supra). 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, with the consent of both the parties and 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)*

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