

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

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O.A/350/1273/2019
M.A/350/734/2019

Date of Order: 25.11.2020

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Mr. Tarun Shridhar, Administrative Member

Sujit Kumar Ghosh & Ors.
Vs.
M/o Defence

For The Applicant(s) : Ms. T. Das, counsel

For The Respondent(s) : Mr. A. K. Chattpadhyay, Counsel

ORDER (ORAL)

Per Ms. Bidisha Banerjee, Judicial Member:

Heard both.

2. MA. 350/734/2019 filed by the applicants for joint prosecution is allowed.

3. This application has been filed by the applicants to seek the following reliefs:

"8(a) Let the applicants be allowed to move this application jointly under same cause of action under Section 4(5)(a) of the CAT (Procedure) Rules 1985.

(b) An order do issue quashing the Office Order dated 13 May 2016 as set out in Annexure A-11 to this application.

(c) An order directing the official respondents to revise the impugned seniority list of Chowkidar of the office of the Commander Works Engineer(S), Barrackpore published in 2009 and 2013 anti dating the seniority of the applicant with effect from 21.01.1993 along with the benefits of pay at par with arrear from the date of joining as Chowkidar.

(d) An order do issue directing the Respondent to extent the benefit of the judgment dated 30.04.2013 issued by Hon'ble CAT in favour of the applicants.

(e) An order do issue directing the Respondent to extend the benefit of the judgment in O.A. No. 350/637 of 2015 dated 04.04.19 issued by Hon'ble CAT, Kolkata Bench in favour of the applicants.

(f) An order directing the respondents to produce/cause production of all relevant record.

(g) Any order and/or further order or orders as the Hon'ble Tribunal may deem fit and proper."

4. Since the applicants have preferred representations on 22.08.2019 and 23.08.2019 seeking the same reliefs as in the present OA while their representations are yet to be disposed of, and since no fruitful purpose would be served in calling for a reply in this matter unless the representations are suitably decided by the respondent authorities, we propose to dispose of the OA at the admission stage itself.

5. Accordingly, we direct the concerned respondent authority to consider the grievance of the applicants, as highlighted in their representation dated 22.08.2019 and 23.08.2019 after proper verification of records, to decide the same in the light of the decision rendered in OA. 637/15 dated 05.04.2019 and in accordance with law issuing an appropriate order or a reasoned and speaking order, within a period of 2 months from the date of receipt of copy of this order.

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

7. The present OA accordingly stands disposed of. No costs.
MA also stands disposed of.



u/o
(*Tarun Shridhar*)
Administrative Member

(*Bidisha Banerjee*)
Judicial Member

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