

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/351/1376/2019

Date of Order: 08.02.2021

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

1. Sri K. S. Jotish Kumar, son of KP Sethumadhavan, residing at Bhathubasti, Port Blair, A&N Islands, Pin 744101.
2. Sri R. Sekar, son of Late Ramalinga Gounder, residing at Sippighat, Port Blair, A&N Islands, Pin 744101.

--Applicants

--vs--

1. Union of India, through Secretary, Ministry of Housing and Urban Affairs, Nirman Bhawan, Moulana Azad Road, New Delhi 110001.
2. The Lieutenant Governor Andaman and Nicobar Islands, Raj Niwas, Port Blair, Pin 744101.
3. The Chief Engineer, Nirman Bhawan, APWD, Port Blair, Pin 744101.
4. The Executive Engineer, Works Shop Division, APWD, Port Blair, Pin 744101.

--Respondents



For The Applicant(s): None

For The Respondent(s): Mr. R. Halder, counsel

ORDER (ORAL)

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

Heard.

2. On 07.01.2020, the Division Bench of Hon'ble High Court, in CAN No. 001/2020 with M.A 002/2020, issued the following directions:

"We make the following observations and directions.

- (a) *This court will not permit parallel proceedings under the Industrial Dispute Act as well as through a writ application in this Court.*
- (b) *Since the writ jurisdiction of this Court was invoked, the writ entertained by this Court and an interim order passed on 30th September, 2019 that interim order will continue till the disposal of the conciliation proceedings and for a*

further period of one month therefrom to enable the appellants to take proper steps, if necessary.

- (c) *Notices under Section 25F of the said Act are set aside.*
- (d) *The Conciliation Officer is requested to dispose of the conciliation proceedings as early as possible.*
- (e) *Thereafter, the appellant may seek appropriate remedies as available to them in law.*
- (f) *The Impugned judgment and order dated 19th December, 2019 is modified to the above effect.*

The appeal MA No. 002 of 2020 and CAN No. 001 of 2020 are disposed of."



3. In view of such orders as above, that the Hon'ble High Court has already granted protection till the disposal of the conciliation proceedings and a further period of one month and has directed early disposal of conciliation proceedings, we dispose of the O.A with a direction upon the respondents to abide by the directions of the Hon'ble High Court and to pass appropriate order.

4. The O.A stands disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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