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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

Original Application No. 380 of 1989

Date of decision: December 5, 1990.

Haridas Chakrabarty ... Applicant.

Versus

Union of India and others ... Respondents.

For the applicant ... M/s. M.R. Panda,
P.K. Panda, S.P. Sahoo,
S. Samal, Advocates.

For the respondents ... Mr. Ganeswar Rath,
Addl. Standing Counsel (CAT)

C O R A M :

THE HONOURABLE MR. B.R. PATEL, VICE-CHAIRMAN

A N D

THE HONOURABLE MR. N. SENGUPTA, MEMBER (JUDICIAL)

1. Whether reporters of local papers may be allowed to see the judgment ? Yes.
2. To be referred to the Reporters or not ? No.
3. Whether Their Lordships wish to see the fair copy of the judgment ? Yes.

J U D G M E N T

N. SENGUPTA, MEMBER (J) The admitted facts are that the applicant was working as a Staff Artist (Instrumentalist) in the All India Radio, Station at Cuttack. There were controversies as to whether the Staff Artists could be classed as regular employees. The matter went upto the Hon'ble Supreme Court and it was decided that they should get the status of temporary Government servants. The applicant's grievance, as may be found from the original application, is that even though he is regularised, he has not been granted the pensionary benefits admissible to other regular employees of the Union of India. His prayers are for a direction to

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the respondents to sanction pension and other pensionary benefits without discriminating him.

2. We have heard Mr. M.R. Panda, learned counsel for the applicant and Mr. Ganeswar Rath, learned Additional Standing Counsel (CAT) for the respondents and perused the counter filed by the respondents. We would like to refer to only two paragraphs of the counter affidavit namely paragraphs 2 & 7. In paragraph 2 of the counter it has been mentioned that the applicant has already been granted the pensionary benefits as are admissible to the Staff of his category as per the Central Civil Services (Pension) Rules, 1972 and in paragraph 7 of the counter the samething has been reiterated by stating that the applicant has been sanctioned pensionary benefits which are admissible to the staff of his category as per the provisions of Central Civil Services (Pension) Rules, 1972 without any discrimination. Since this is the stand taken by the respondents, we have nothing further to do. We have also seen a copy of Government's order No. 10/9/85 dated 3.8.1989 of Director General, All India Radio produced by Mr. Panda. Since the applicant's reliefs have already been granted, no further direction remains to be given.

3. The case is accordingly disposed of. No costs.

Amrit 5/12/90
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Vice-Chairman

Central Administrative Tribunal
Cuttack Bench, Cuttack
December 5, 1990/Sarangi.



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Allen Enq 5/12/90
Member (Judicial)