

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
CALCUTTA**

NO. O.A.72 of 1996

Date of Order: 12.4.2005

PRESENT :HON'BLE MR. JUSTICE B. PANIGRAHI, VICE-CHAIRMAN
HON'BLE MR. N.D. DAYAL, ADMINISTRATIVE MEMBER

SANJOY BANERJEE & ORS.

VS.

UNION OF INDIA & ORS. (S.E. Rly.)

For the Applicant : Mr. P.C. Das, Counsel

For the Respondents : Mr. R.M. Roychoudhury, Counsel


ORDER

PER JUSTICE B. PANIGRAHI, V.C.:

Heard Mr. P.C. Das, ld. counsel appearing for the applicant and Mr. R. M. Roychoudhury, ld. counsel appearing for the respondents.

2. It is submitted that an analogous matter is pending before the Hon'ble Supreme Court. Although Mr. Das, was asked to produce the relevant records showing that other sets of employees had filed S.L.P. in the Supreme Court, but nothing has been produced since 2000 till date. At any rate, if any S.L.P. is filed and pending the judgment passed therein by the Hon'ble Supreme Court, shall have to be followed by both parties. But that is no ground to defer the hearing of the case. Since identical issue has been raised and decided in an earlier litigation by another group of similarly situated employees, in this case the Tribunal has no other option but to stick to the earlier judgment.

2. In that view of the matter, following the earlier decision we hold that there is no merit in this application and it is accordingly dismissed. No costs.


MEMBER(A)


VICE-CHAIRMAN