

CENTRAL ADMINISTRATIVE TRIBUNAL

CACUTTA BENCH

No. O.A. 915 of 1996.

Date of Order : 26.09.2003.

Present : Hon'ble Mr. B.P. Singh, Administrative Member
Hon'ble Mr. N. Prusty, Judicial Member

Gobinda Kumbhakar & Ors.

VS.

Union of India & Ors.

For the applicant : Dr. Ms. S. Sinha, counsel

For the respondents : Mr. B.K. Gupta, counsel

O R D E R

MR. B.P. SINGH, A.M.:

Ld. counsel for both the parties are present.

2. This application has been filed by the 09 applicants against non-consideration of their representations dated 20.06.1995, and subsequent representations which are enclosed as annexure 'B' series from page 21-28 to the O.A.. The applicants are prayed for the following reliefs:

- "a) An order directing the respondents concerned that the applicants should be given the arrears of payment from the date of promotion to the post of Fitter-Gr.II.
- b) Any further order/Orders as their Lordships may deem fit and proper.
- c) Costs.
- d) Leave may be granted to add applicant no 02 to 09 in the same petition on the facts and prayer are same under Rule 4(57(a)) of C.A.T. Procedure Rule, 1987.

Contd... 2.

3. Id. counsel for both sides are present. Reply has been filed to the O.A. by the Id. counsel for the respondents. No rejoinder to the reply has been filed.
4. During the course of the hearing, Id. counsel for the applicant submits that in case this application is disposed of with a direction upon the respondents to consider their representation under annexure-'B' series and treat this O.A. as a part thereof, then the applicant shall be fully satisfied. Id. counsel for the respondents submits that no representation as alleged in the O.A. has been received by the respondent authorities and, therefore, the question of considering the representations did not arise. The Id. counsel for the respondents' attention was drawn to ~~annexure~~-'B' series with the application which are copies of the representations already submitted to the respondent authorities. The Id. counsel submits that in case the Tribunal directs the respondent authorities to consider the above representation treating this O.A. as a part thereof, the respondents authorities shall consider the same within a stipulated period in accordance with law.
5. In view of the above submissions, we are not making any observation on the merits of the case and, therefore, we direct the respondent authorities to consider the representations enclosed as annexure-'B' series treating this application as a part thereof according to rules within a period of 03 months from the date of communication of this order and communicate the said order within a period of 02

weeks thereafter. In case the applicants are found entitled to the reliefs prayed for, the same should be granted within a period of one month thereafter with all consequential benefits. Accordingly the O.A. is disposed of. No order as to costs.



MEMBER (J)



~~MEMBER (A)~~

ASVS.