

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

No. O.A. 974 of 1996.

Date of Order : 26.09.2003.

Present : Hon'ble Mr. B. P. Singh, Administrative Member
Hon'ble Mr. Nityananda prusty, Judicial Member

S. N. Biswas

VS.

Union of India & Ors.

For the applicant : Mr. T.D. Roy, counsel

For the respondents : Mr. P.K. Arora, counsel

O R D E R

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

This application has been filed by the applicant for not giving due promotion on time to the applicant on the basis of Reservation Roster and other consequential benefits.

The applicant has prayed for the following reliefs:

- "i) That the applicant be given promotion to the post of Clock Maintainer Gr.II on and from 01.08.1978 and Clock Maintainer Gr.I on and from 01.03.1993 in the reserved post for SC given service and promotional benefits thereof.
- ii) That the respondents be directed to give the salaries and of consequential service benefits treating the applicant as promoted to the post of Clock Maintainer Gr.II on and from 01.08.1978 and Clock Maintainer Gr.I on and from 01.03.1993 and also given subsequent promotion."

2. Mr. T.D. Roy, 1d. counsel appears for the applicant and Mr. P.K. Arora, 1d. counsel appears for the respondents authorities. No reply has been filed in this case inspite of our repeated directions. Mr. P.K. Arora, 1d. counsel for the respondents submits that inspite of his repeated asking for filing reply, he did not get any information

2-NY

Contd... 2

or direction for filing reply from the respondent authorities and, therefore, he is not in a position to submit anything on the merit of the case.

3. Ld. counsel for the applicant submits that the applicant was not given due promotion in the year 1978 and immediately thereafter he has been making repeated representations. The first representation was made on 04.05.1982 followed by subsequent representations in 1982, 1994 and 1995 from the pages 18-24 of the application. The ld. counsel submits that his applicant will be satisfied in case the respondents are directed to consider the representations of the applicant annexed from page 18-24 according to rules and treat this application as a part thereof within a specified period. The ld. counsel for the respondents has no objection to the above submission made by the ld. counsel for the applicant.

4. In view of the above, we dispose of this application with a direction to the respondent authorities specially respondent no.03 to consider the representations annexed from page 18-24 of the O.A. treating this O.A. as a part thereof according to rules and on merit within a period of 03 months from the date of communication of this order by passing a reasoned and speaking order and communicating the same to the applicant within a period of 02 weeks thereafter. In case the decision goes in favour of the applicant, he should be given all consequential benefits within a period of 01 months thereafter.

We make it clear that the respondent authorities shall not reject the representations on the ground of limitation and

2/2

Contd. 3