

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No. OA 991 of 96

Present : Hon'ble Mr. Justice S.N.Mallick, Vice-Chairman

Hon'ble Mr. B.P.Singh, Administrative Member

SUBRATA DUTTA

VS

UNION OF INDIA & ORS.

For the applicant : Mr.P.Chatterjee, counsel

For the respondents: Ms.U.Bhattacharyya, counsel

Heard on : 18.3.99

Order on : 18.3.99

O R D E R

S.N.Mallick, VC

When this matter is taken up for admission hearing it is submitted by Ms.U.Bhattacharyya, 1d. counsel appearing for the respondents that the application has since become infructuous, as the petitioner's promotion has been anti-dated from 4.11.91 to 24.9.90 as per office memo dated 18.12.98. A copy of the office memo is has been produced before us. Mr.P.Chatterjee, 1d. counsel for the petitioner also admits the position but his contention is that in the OA the petitioner not only prayed for anti-dating his promotion w.e.f. 24.9.90 but there was also a prayer to pay him arrears of pay and allowances for the period from the aforesaid date till 4.11.91. Ms.U.Bhattacharyya also produced before us a communication from the respondents authorities dated 22.2.99 addressed to her wherein it has been stated that the aforesaid office memo dated 18.12.98 has provided that arrears of pay on account of revision in date of promotion of the petitioner as AAO in respect of the above officials may be drawn as per the existing provisions but no specific date has, however, been mentioned. Mr.P. Chatterjee, 1d. counsel submits that the application be disposed of

with a specific direction upon the respondents authorities to give the petitioner all consequential benefits including arrears of pay and increments from 24.9.90 as per existing rules. Under such circumstances on consent of both the parties we dispose of the application as it has become infructuous only with a direction to the respondents to release to the petitioner all consequential benefits of anti-dating promotion from 24.9.90 as contended in the aforesaid office memo including arrears of pay, increments, etc. within 3 months from the date of communication of this order as per extant rules if not already done. No order as to costs.

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MEMBER (A)

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Sh. Palvi

VICE-CHAIRMAN