

Central Administrative Tribunal  
Calcutta Bench

OA 1058/96  
(MA 243/2002)

16-1-2003

Present : Hon'ble Mrs Lakshmi Swaminathan, Vice-Chairman(J)  
Hon'ble Mr.S.Biswas, Member(A)

Sunirmal Barua & Ors

-Vs-

U.O.I. & Ors

For the applicants : Mr.T.K. Biswas  
Mrs U. Sanyal (Sr)

For the respondents : Mr.B.K. Chatterjee

ORDER (Oral)

Hon'ble Mrs.Lakshmi Swaminathan, Vice Chairman :

In this application the applicants <sup>have</sup> prayed for a direction to the respondents to place them as Chargeman Gr.II just after 6 months from the respective dates of their original gradation examination as per decision of this Tribunal in TA 1069 of 1986 (Purnendu Mukhopadhyay V. U.O.I.) as confirmed by the Hon'ble Supreme Court by its judgement dated 5-8-93 in C.A. No.2322 of 1991.

2. During the course of hearing it is submitted by the Lt. Counsel for the respondents by producing a letter dated 30-5-2002 that the cut off date for calculation of arrears is 9-7-90 and the same will be followed in the present case also. It is also stated that during the pendency of Purnendu Mukhopadhyay's <sup>(supra)</sup> case, some other decisions were rendered and accordingly a clarification has been issued by OFAJ by its order dated 22-2-2002. Some other statements have also been made regarding passing of examinations by the applicants on different dates.

3. After taking into consideration this latest letter of the respondents dated 30-5-2002, we are of the opinion that the respondents should consider the cases of the applicants in accordance with the directions contained in this letter.

4. Accordingly we dispose of the OA with <sup>a yr</sup> direction to the respondents to consider the case of <sup>the</sup> applicants in terms of the letter 30-5-2002 and to grant them admissible benefits within <sup>three</sup> <sub>83</sub> <sup>83</sup>