

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No. O.A. 1270 of 1996.

Date of Order : 19.09.2003.

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

Sri Bishna Kant Jha

VS.

Union of India & Ors.

For the applicant : Mr. P.C. Das, counsel  
Ms. A. Mondal, counsel

For the respondents : Mr. B. Mukherjee, counsel

ORDER

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

1d. Counsel for both the parties are present.

2. This case has been filed by the applicant against non-grant of in-situ promotion to the applicant and the consequential relief.

3. The 1d. counsel for the applicant submitted that necessary order getting in-situ promotion has been issued on 18.07.00. A copy of which is produced before us and the same has been kept on record. The 1d. counsel for the respondents also confirmed the issuance of the said order.

4. In view of the above order, the prayer of the applicant made in the O.A. has been complied with and applicant's application has thus become infructuous. However, the 1d. counsel for the applicant submits that even though he has been granted in-situ promotion to the scale of pay Rs. 1320-30-1560-EB-40-2040/- w.e.f. 01.04.1992 his pay has been wrongly fixed as on 01.04.1992 as Rs. 1440/- instead of Rs. 1560/-. In view of the above wrong fixation, the applicant may be given liberty to file representation before the concerned authority and direction be issued to dispose of his representation within the stipulated period.

2/2

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5. In view of the above, the C.A. is disposed of as having become infructuous. However, liberty is given to the applicant to make a suitable representation regarding correct fixation of his pay in the pay scale of Rs. 1320-28-2848/- vide order dated 18/7/2000 giving in-situ premotion before the competent authority/respondents. On receipt of the said representation, <sup>they</sup> shall dispose of the same within a period of 3 months from the date of receipt keeping in view of the order dated 18/07/2000. In case, the decision goes in favour of the applicant he should be granted all consequential benefits during service and after retirement as a result of correct refixation of pay. No order as to costs.

  
Member (J)

  
Member (A)