

In the Central Administrative Tribunal  
Calcutta Bench

OA No.1487/96

5-7-2004

Present : Hon'ble Mr.N. Prusty, Member(J)  
Hon'ble Mr.N.D. Dayal, Member(A)

S.S. Biswas

-Vs-

N A T M O

For the applicant : Mr. P. Chatterjee, Counsel  
Mr.K.C. Saha, Counsel

For the respondents: Mr.M.S. Banerjee, Counsel  
Mr.S.K. Dutta, Counsel

ORDER

Mr.N. Prusty, Member(J)

The applicant who was earlier working as Sr. Research Asstt. in the Office of Director, National Atlas and Thematic Mapping Organisation retired on 31-5-94 has filed this present application for the following reliefs :

- a) to order and/or to direct the respondents to implement the Ministry of Finance O.M. datd 19-10-1994;
- b) to order and/or direct the respondents to regulate placement in the respective higher scale of pay on completion; of a stipulated period as specified in the OM dated 19-10-94;
- c) to order or direct the respondents also to extend the benefit of not only notional fixation of pay from 13-5-82 but also the actual benefit of fixation of pay w.e.f. 1-11-83 with consequential benefit of increment after due pay fixation as such and for payment of arrears as due;
- d) to order and/or direct the respondents to give him the benefit of pay fixation on his promotion as Selection Grade Draftsman and also on his promotion to the Sr. Research Asstt.
- e) Also to order or direct the respondents to give the retiral benefits including the enhancement of leave salary and refixation of pension on the basis of revised pay based on the Ministry of Finance OM dated 19-10-94 and also keeping in view the revised pay under the 4th CPC report.

2. Heard Mr.P. Chatterjee, leading Mr.K.C. Saha, learned counsel for the applicant and Mr. M.S. Banerjee, learned counsel leading Mr.S.K. Dutta, learned counsel for the respondents.

3. When this matter was taken up Mr.P. Chatterjee, the learned counsel for the applicant submits that by order dated 16-6-04 of this Tribunal in OA 1465/96 the similarly placed persons have already got the relief as has been prayed by the

applicant in this OA. In that view of the matter, the applicant wants to withdraw this application with liberty to file a detailed representation before the concerned Respondent Authority highlighting all his grievances, enclosing the order dated 16-6-04 of OA 1465/96 and the applicant shall be fully satisfied if at this stage the OA is disposed of directing the respondent authorities to consider the representation of the applicant keeping in view the ratio decided by this Tribunal in its order dated 16-6-2004 in OA 1465/96 within a stipulated period and dispose of the same by passing a reasoned and speaking order and intimate the order to the applicant.

4. Mr. Banerjee, the learned counsel for the respondents has no serious objection to the above submissions made by the learned counsel for the applicant.

5. In view of above, the OA is dismissed as withdrawn. No order as to costs.

6. However, the applicant is at liberty to file a detailed representation highlighting all his grievance, enclosing the copy of the judgement dated 16-6-2004 in OA No. 1465/96 in support of his contention along with his representation, within a month from the date of receipt of this order and the respondent authorities, more particularly respondent No. 2 is directed to consider the said representation and dispose of the same by passing reasoned and speaking order in terms of the ratio decided in the Judgement dated 16-6-2004 in OA No. 1465/96 within a period of 3 months from the date of receipt of the representation and communicate the decision to the applicant within a period of 2 weeks thereafter. It is made clear that we have neither gone into, nor observed anything on the merit of the case. However, in case the decision goes in favour of the applicant, all consequential benefits, including the financial/retiral benefits as per his entitlement be extended in favour of the applicant within a period of 2 months from the date of the order.

  
Member(A)

  
Member(J)