

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA 437/1996

Calcutta, this the 14th day of January, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri S. Biswas, Member (A)

Senat Kumar Naskar
Son of Surendra Nath
Naskar working for gain
as Pharmacist-cum-Clerk
(Homeo.) in the office of
the Central Govt. Health
Scheme, Calcutta residing
at Vill. & P.O. Taldih,
P. S. Canning, Distt. 240 Pgs. (S)

... Applicant

(By Advocate Shri S.K. Ghosh)

VERSUS

1. Union of India service through the Secretary, Ministry of Health and Family Welfare, Deptt. of Central Govt. Health Scheme, Nirman Bhawan, New Delhi.
2. The Director (Public Health), Central Govt. Health Scheme, Nirman Bhawan, New Delhi.
3. The Deputy Director (Admn.), Central Govt. Health Scheme, Nirman Bhawan, New Delhi.
4. The Additional Director, Central Govt. Health Scheme, Calcutta-69

... Respondents

(By Advocate Ms. K. Banerjee)

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)

Ms. K. Banerjee, learned counsel for the respondents has drawn our attention to the Office Order dated 9.4.1996 (Annexure XII). The relevant portion of this order reads as follows:-

" As per interim decision given by the Hon'ble Central Administrative Tribunal, Calcutta Bench in the case of Shri Pranab Mr. Ghosh.

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Vide OA No. 397/96, it has been decided to also withhold the recovery of the over payment

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made to Shri Sanat Kumar Naskar, Store Keeper cum Clerk (Homee.) from 16.8.96 in terms of this office order Nos 8-9/Rt./662 dated 28.2.1996 and 8-8/96(C)/1016 dated 14.3.1996 being similar type of case.

However, as per decision of the Hon'ble CAT only prospective effect shall be given to this office order dated 28.2.96 with regard to his refixation of pay in the earlier scale of pay of Rs. 1200-30-1569-EB-40-2040 w.e.f. 16.8.96 vide this office order mentioned above and this shall be given effect from 1.4.96".

2. Shri S.K.Ghosh, learned counsel for the applicant states that he has received a copy of the aforesaid office order.
3. In view of the aforesaid Office Order dated 9.4.1992, nothing further survives in this OA. Accordingly, OA is disposed of as having become infructuous. No costs.

S.B.
(S. Biswas)
Member (A)

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

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