

CENTRAL

CALCUTTA BENCH

Present : Hon'ble Mr. D. Purkayastha, Judicial Member.

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

M.A. 452/2001  
(O.A. 1509/1996)

Union of India and Ors.

- v e r s u s -

Nakul Ch. Bera and Ors.

For the applicants : None.  
(in M.A. 452/2001)

For the respondents : Mr. K. Sarkar, counsel (applicant in O.A.)

O.A. 732/2001

Swadesh Ranjan Talukdar & Anr.

- v e r s u s -

Union of India and Ors.

For the applicants : Mr. K. Sarkar, counsel.

For the respondents : Mr. N. Chatterjee, counsel.

Date of order: 06.07.2001

O R D E R

As per our order dated 05.07.2001 passed in O.A. 732/2001 the matter is taken up today for order. M.A. 452/2001 is also taken up today as per our order dated 05.07.2001.

2. Mr. Chatterjee, Id. counsel for the respondents has produced a list of the officers who got promotion in the cadre of Superintendent of Central Excise. He has also produced the list of 9 applicants showing their date of joining.


3. In view of the aforesaid documents produced before us, we do not find any officer amongst the 42 Pvt. respondents who got promotion earlier than 9 applicants, were found junior to the aforesaid applicants viz. S/Shri Swadesh Ranjan Talukdar, Apurba Kumar Sadhya, Kamal Das, Ratan Guha, Biman Chattopadhyay etc.

4. In view of the aforesaid circumstances, the prayer of stay as prayed by the applicant is rejected.

: 2 :

5. M.A. 452/2001 filed by the official respondents for extension of time to implement the order dated 22.2.2001 passed in O.A. 1509/1996 is also taken up today though the Id. counsel for the applicant (respondent in O.A.) is absent. The M.A. is allowed and disposed of accordingly.

6. O.A. be listed for hearing on 19.11.2001.



Member (A)



Member (J)

a.k.c.