

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No.MA 639 of 2001
(OA 1263 of 91)

Date of order : 11.10.2002

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

RANATOSH BANERJEE

VS

UNION OF INDIA & ORS.

For the applicant : Dr.S.Sinha, counsel

For the respondents: Ms.U.Sanyal, counsel

O R D E R

B.P.Singh, A.M.

This MA has been filed against the non-execution and non-implementation of the order passed in August, 2002 in OA 1263 of 91, a copy of which is enclosed as Annexure 'A'.

2. The operative portion of the said Order is reproduced below :

In view of the above, the following directions are given:

i) It is declared that the seniority of the applicant as Casual Labourer has to be counted from 16.3.73 for all purpose.

ii) His regular absorption has to be taken from the date of conducting the screening test in the Engineering Test i.e. from 17.4.81.

iii) Necessary changes in the service records of the applicant shall be made within three months from the date of receipt of a copy of this order.

In the result the OA is allowed. No order as to costs.

In reference to the above order the respondent authorities have considered the matter and passed suitable orders on 3.1.2002.

3. From the perusal of the memorandum annexed as Annexure 'B' as well as the operative portion of the order, it is clear to us that all the three directions given by the Tribunal in the OA have been fully complied with by the respondent authorities and we do not find any justification to consider this MA for non-execution and non-implementation of the order. The order has been complied in full.

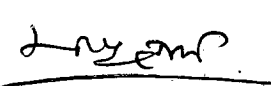
4. Presently the allegation of the ld. counsel for the

applicant is that his seniority position has not been modified in the official documents and therefore he has not been allowed to appear in the promotion test and his juniors have already been promoted. In our opinion, this is a separate cause of action. The ld. counsel for the applicant is directed to advise her client to file a fresh OA in this regard.

5. MA therefore stands disposed of.


MEMBER(J)

in


MEMBER(A)