

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No.667 of 1997

Present: Hon'ble Dr. B.C. Sarma, Administrative Member
Hon'ble Mr. D. Purakayastha, Judicial Member

ACHINTYA PRASAD MANDAL

VS

1. Union of India, service through
The Secretary,
Ministry of Communication,
Dept. of Telecom,
Sanchar Bhawan,
New Delhi-110 001

2. Sr. Director General (BW),
Dept. of Telecom.
Govt. of India,
Sanchar Bhawan,
New Delhi-110 001

3. Chief Engineer (Elect.),
Eastern Zone, Telecom.
Yogayog Bhawan
36, C.R. Avenue,
Calcutta-700 012

.... Respondents

For the Applicant : Mr. Samir Ghosh, counsel

For the Respondents: Mrs. K. Banerjee, counsel

Heard on 12.12.1997

Date of order: 12.12.1997

O R D E R

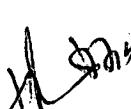
B.C. Sarma, AM

The grievance raised in this application is about the non-extension of the benefit of the judgment dated 24.1.94 passed in OA No.314 of 1991 by this Tribunal of Cuttack Bench (Kashinath Saha v. Union of India & Ors.) and the judgment dated 14.1.97 passed in OA 245 of 1996 (Rama Prasad Pal v. Union of India & Ors.) by this Bench inspite of the fact that the applicant is similarly circumstanced as the applicants in those cases.

2. When the admission hearing of the matter was taken up today Mr. Ghosh, learned counsel for the applicant invited our attention to the judgment dated 14.1.97 passed by this Bench and the

direction contained in para 8 of that judgment. He has also mentioned that the representation filed by the applicant on 25.3.97, as set out in Annexure/A to the application is still pending. Mr. Ghosh, judgments therefore, prays that in terms of the aforesaid/a direction be given on the respondents to dispose of the representation, since a similar benefit be given to the instant applicant as he is equally circumstanced. Mrs. K. Banerjee, learned counsel for the respondents submits that she has no instruction in the matter. But on a perusal of the copy of the application by her it appears that the representation is still pending.

3. In view of the above the application is disposed of at the stage of admission itself with a direction that within a period of three months from the date of communication of this order, the respondents shall consider the representation filed by the applicant on 25.3.97 keeping in view the judgment delivered by the Cuttack Bench and Calcutta Bench of this Tribunal and pass appropriate orders thereon. If as a result of consideration the applicant is found entitled to the benefit given to other applicants, all consequential benefits shall be given to him as per rules. No order is passed as regards costs.


(D. Purkayastha)

MEMBER (J)

12.12.1997


(B. C. Sarma)

MEMBER (A)

12.12.1997