

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

M.A. 285 of 99

(O.A. 522 of 97)

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

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

UNION OF INDIA & Ors.

-V E R S U S-
DR. SAMIR RANJAN SARKAR

For the applicants : Ms. U. Bhattacharya, counsel.

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

Heard on 17.6.99

Order on 17.6.99

O R D E R

D. Purkayastha, JM

Heard Id. counsels of both the parties over an application filed by the official respondents seeking extension of time for implementation of direction contained in the judgment dated 18.3.99 passed in O.A. 522/97 where it was directed that the respondents Nos. 2 to 5 to reconsider their decision dated 2.5.97 (annexure-RIX to the reply) and allow the applicant to rejoin his parent office. Continuity of the applicant's service in the parent department during the intervening period shall be restored subject to payment by the respondents appropriate pension and leave salary contributions etc. as per extant rules treating him as if he has been on foreign service from 27.7.96 till the date of his rejoining. The respondents were further directed to carry out the order within two months from the date of communication of this order.

2. Mr. Chatterjee, Id. counsel appearing on behalf of the applicant in O.A. resisted the prayer for extension of time by the respondents in the O.A. stating that the respondents did not disclose cogent reasons by which they could not comply with the direction contained in the order.

3. Ms. Bhattacharya, Id. counsel appearing on behalf of the official respondents submits that the respondents may be given time to comply.

with the direction as mentioned above within two months from the date of filing of the application. It is found that the application has been filed on 24.5.99 seeking extension of time. This is within time. We have considered the submission of the Id. counsels of both the parties. It is found that no cogent reason could be disclosed by the respondents for non-implementation of the order/judgment. Since no cogent reason has been disclosed by the official respondents for non-implementation of the judgment, we are of the view that inaction and laches on the part of the respondents ^{on this matter} does not speak well about the administrative efficiency of the respondents. However, considering the facts and circumstances, we allow the prayer granting two months time from today to the respondents for implementation of the judgment. The respondents are to pay cost of Rs. 500/- to the applicant within two months. M.A. is disposed of accordingly.

Jayant
Member (A)

K. A. B. 17/6
Member (J)