

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

No.O.A.1182/1997

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

Hon'ble Mr. G.S. Maingi, Administrative Member

JATINDRA NATH CHOUDHURY & ORS.

VS.

UNION OF INDIA & ORS.

For the applicants : Mr. Samir Ghosh, counsel

For the respondents : Mr. B. Mukherjee, counsel

Heard on : 30.3.2000

Order on : 30.3.2000

O R D E R

Heard ld. counsel for both sides.

2. Ld. counsel Mr. B. Mukherjee appearing on behalf of the respondents, submits one letter dated 3.2.2000 written <sup>No1</sup> by the applicant to the General Manager, Farakka Barrage Project, Farakka, Murshidabad(W.B.) and states that the applicant is agreed to accept the decision of the Ministry of Water Resources vide letter No.16/13/91-GR-FBP dated 1.9.99 on ~~this matter~~.

3. Ld. counsel, Mr. Samir Ghosh appearing on behalf of the applicants, submits that the respondents may be directed to the applicants to make payment/as per the aforesaid order of the Ministry of Water Resources within a specific period since the applicant No.1, Jatindra Nath Choudhury ~~has already~~ given undertaking to accept the decision of the Ministry.

4. We have considered the submissions made by the ld. counsel for both sides and have perused the letter produced by the ld. counsel for the respondents. On a perusal of the said letter dated 3.2.2000, it is found that the applicant <sup>his</sup> NO.1 has already given undertaking regarding ~~acceptance~~ of the

decision of the Ministry of Water Resources vide order bearing No. 16/13/91 GR-FBP dated 1.9.99 to restrict his arrears on account of promotion to the post of Head Security Guard for three years preceding the date of judgment 12.7.91 given by Central Administrative Tribunal, Calcutta Bench in T.A.No.90 of 1986. So, we do not find any impediment to dispose of the O.A. by directing the respondents to make payment to the applicants on the basis of the aforesaid decision of the Ministry of Water Resources dated 1.9.99 as prayed for by the ld. counsel for the applicants.

5. Accordingly, the respondents are directed to make payment of arrears to the applicants on the basis of the decision of the Ministry of Water Resources vide No. 16/13/91 GR-FBP dated 1.9.99 and the declaration of the applicant within one month from the date of communication of this order. With these observations, the O.A. is disposed of without any order as to costs.

  
30.3.2007  
MEMBER(A)

  
30/3/2007  
MEMBER(J)