

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A.1337 of 1997

Present: Hon'ble Mr. Justice S.N. Mallick, Vice-Chairman.

Hon'ble Mr. M. S. Mukherjee, Administrative Member.

ABANI KR. BHATTACHARJEE

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr. A. Lahiri, counsel/
Mr. M. K. Goswami, counsel.

For the respondents: Mr. M. S. Banerjee, counsel.

Heard on: 1.12.97.

Ordered on: 1.12.97.

O R D E R

S.N. Mallick, V.C.

Both sides appear and we have heard them.

Mr. Banerjee, ld. counsel appearing for the respondents, undertakes to file power in course of this week.

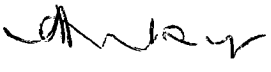
Main grievance of the petitioner is that the respondent no. 5, who is junior to him in the same cadre, has been drawing higher pay and allowances w.e.f. 1.10.91, which has prejudiced the interest of the petitioner who is going to superannuate w.e.f. 31st December, 1997. It is submitted by Mr. Lahiri that a number of representations has been made by his client to the superior authorities including the respondent no. 2 for giving him the same scale of pay w.e.f. above date, i.e. 1.10.91. The first of such representations was made on 13th May, 1995 and the last one is dated 14.8.97 to be found at page 29, Annexure-F to the present application. Mr. Lahiri has also drawn our attention to the departmental correspondence dated 2.9.97

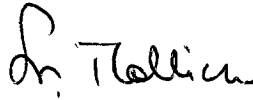
(Annexure-H to the present petition) whereby the Zonal Senior Superintendent of Post Offices, Assansol Division, forwarded the representation of the petitioner dt.14.8.97 to the respondent no.2 with certain recommendation for favour of consideration. ^{Undisputedly} Undoubtedly, no action has been taken on the representation of the petitioner by respondent nos.1-4, specially the respondent no.2.

After hearing the ld.counsels appearing for both the parties, we take up the application as to-day's list for final disposal by passing the following order.

The respondents , specially the respondent no.2 is directed to dispose of the representation of the petitioner dated 14.8.97, taking into account all the previous applications and the departmental correspondents dated 2.9.97 under the relevant rules and according to law after giving hearing to the petitioner and to the respondent no.5. The respondents are also directed to pass a speaking order in this regard within 31st December,1997 with due intimation to the petitioner and the respondent no.5.

The application is disposed of. No order is made as to costs.


(M.S.Mukherjee)
Member(A)


(S.N.Mallick)
Vice-Chairman.