

Central Administrative Tribunal  
Principal Bench  
New Delhi

O.A.No.1218/2013  
with  
O.A.No.3690/2013

Order Reserved on: 04.08.2016  
Order pronounced on 09.08.2016

Hon'ble Shri V. Ajay Kumar, Member (J)  
Hon'ble Shri P. K. Basu, Member (A)

**O.A.No.1218/2013**

Shri S.P.Tripathi  
Dy. SP (FP)  
Type IV  
442, Sec.IV, R.K.Puram  
New Delhi .... Applicant

(By Advocate: Sh. Padma Kumar S. with Ms. Jyoti Singh, Senior Counsel)

## Versus

1. Union of India, through  
Secretary  
Ministry of Home Affairs  
North Block, New Delhi -1.
  
2. Director  
Central Bureau of Investigation  
C.G.O.Complex  
Lodhi Road, New Delhi.
  
3. Director General  
National Crime Records Bureau  
East Block-7, R.K.Puram  
New Delhi -66.

4. Secretary  
DoP&T  
North Block, New Delhi-1.

5. Secretary  
Department of Expenditure  
Ministry of Finance  
South Block, New Delhi-11. .... Respondents.

(By Advocate: Sh. R.N.Singh with Sh. Amit Sinha and Sh. Satyendra Kumar)

with

**O.A.No.3690/2013**

1. Shri Arup Kumar Pal  
Kali Tala Lane, Fatakgora  
Chandan Nagar  
Distt. Hooghly  
West Bengal – 712136.

2. Biswajit Roy  
686 Sector IV, R.K.Puram  
New Delhi – 110 022.

3. Sadhanananda Mandal  
A-16/F (Top Floor) DDA Flat  
Munirka, New Delhi – 110 067.

4. Suhas Mitra  
23/11A Pranabananda Road  
Kolkatta-84.

5. Manotosh Sarkar  
C.K.Sen Road  
Jananagari, Agarpara  
Kolkatta-109 .... Applicants.

(By Advocate: Sh. Padma Kumar S. with Ms. Jyoti Singh, Senior Counsel)

Versus

1. Union of India through  
Secretary  
Department of Expenditure  
Ministry of Finance  
North Block, New Delhi -11.
2. Secretary  
M/o Home Affairs  
North Block, New Delhi-1.
3. Director  
Central Bureau of Investigation  
C.G.O.Complex  
Lodhi Road, New Delhi.
4. Director General  
National Crime Records Bureau  
East Block 7, R.K.Puram  
New Delhi -66.
5. Secretary  
DOP&T  
North Block  
New Delhi -1.

(By Advocate: Sh. R.N.Singh with Sh. Amit Sinha and Sh. Satyendra Kumar)

**O R D E R (Common)**

**By V. Ajay Kumar, Member (J):**

After these OAs were heard and orders were reserved, it is noticed that the subject matter of these OAs is squarely covered by a Coordinate Bench decision of this Tribunal in OA No.596/2013 dated 17.11.2015 of the Ernakulam Bench.

2. It is also brought to our notice that against the said orders of the Ernakulam Bench, a Writ Petition bearing OP(CAT) No.167/2016 (Z) was filed before the Hon'ble High Court of Kerala at Ernakulam and that the Hon'ble High Court on 16.06.2016 while admitting the said Writ Petition, also stayed the said orders of the CAT, Ernakulam.

3. It is further submitted that the said WP is now listed on 12.08.2016 and that the interim stay is still in operation.

4. In the circumstances and in view of the fact that identical issue is pending before a higher forum, these OAs are adjourned ***sine die***. However, any of the parties may move an appropriate application for fixing fresh date of hearing of the OAs, once the stay application or the Writ Petition decided finally by the Hon'ble High Court of Kerala at Ernakulam.

A copy of this order shall be supplied to both the parties by **DASTI**.

(P. K. Basu)  
Member (A)

(V. Ajay Kumar)  
Member (J)

/nsnrvak/