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CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH



No. O.A. 350/00736/2016

Date of order: 25.8.2016

Present : Hon'ble Justice Shri Vishnu Chandra Gupta, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

MADHU NASKAR

VS.

UNION OF INDIA & ORS. (ESIC)

For the Applicant : Mr. S.K. Dutta, Counsel

For the Respondents : Mr. S. Banerjee, Counsel

ORDER (Oral)

Justice Shri Vishnu Chandra Gupta, Judicial Member:

Heard Ld. Counsel for the applicant and Ld. Counsel for the respondents.

2. It is not in dispute from the side of the respondents that similar controversy has been resolved by this Bench vide order dated 3.8.2016, the photo attested copy has been placed on record.

3. Hence, with the consensus of the parties, this matter is disposed of finally in terms of the order passed by this Tribunal on 3.8.2016 which is extracted below:-

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. 350/00721/2016

Date of order: 3.8.2016

Present: Hon'ble Justice Mr. Vishnu Chandra Gupta, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

JUDHISTIR GUCHHAIT & ORS.

VS.
UNION OF INDIA & ORS.

For the Applicant : Mr. S.K. Dutta, Counsel
For the Respondents : Mr. S. Banerjee, Counsel

ORDER

Per Justice V.C. Gupta, JM:

Heard the Id. Counsel for the applicants and Id. Counsel for the respondents.

2. The applicants are asking for Grade Pay of Rs.2400 instead of Rs.2000 from the date of their promotion as Laboratory Assistant in the Hospital known as ESI-PGIMSR and ESIC Hospital & ODC(E.Z), Diamond Harbour Road, Joka, Kolkata-700 104. Id. counsel for the applicant pointed out that in a similar matter i.e. O.A.350/00791/2014 this Tribunal granted the benefit of Grade Pay of Rs.2400 instead of Rs.2000. Operative portion of the said order passed in the O.A.350/00791/2014 dated 17.12.2014 reads as under:-

"3. As such with the consent of the parties, the present OA is disposed of with a direction upon the respondents to pass an appropriate order having regard to the decision of the Principal Bench in the above mentioned case. This exercise shall be completed within two months from the receipt of the order. In case the applicant is found entitled to identical relief arrears will be paid within one month thereafter, failing which interest @ 8% shall become payable beyond that date till the date of actual payment.

4. This direction would however be subject to the decision of the Hon'ble Delhi High Court.

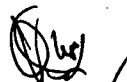
5. The O.A. is accordingly disposed of. No order is passed as to costs."

3. It is not in dispute that after this order the representation was decided in favour of the applicants in O.A.No.350/00791/2014 and the Department has complied with the Office Order No. 24 of 2015 issued on 13.02.2015. The correctness of these facts has not been disputed by the Id. counsel for the respondents. The applicants are claiming the similar benefit in this case.

4. The applicants filed representations to the authorities concerned in regard to their grievances which are annexed at page 35 of the O.A. and onwards.

5. In view of the aforesaid circumstances, we are of the view that this application may be finally disposed of at the stage of admission without calling for any reply from the respondents.

6. Accordingly the application is allowed. The respondents are directed to decide the representations of the applicants within a period of three months from the date of receipt of a certified copy of this order. The applicants shall also sent the copy of the representation along with the copy of the order to the authorities. If the applicants are found entitled to Grade Pay of Rs.2400, the same shall be given to the applicants in terms of the order passed in O.A.791/2014.



7. The O.A. stands disposed of. There shall be no order as to cost."

3. Hence, the aforesaid petition is decided in terms of the aforesaid order.

(Jaya Das Gupta)
MEMBER(A)

(Vishnu Chandra Gupta)
MEMBER(J)

SP