



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
KOLKATA BENCH.

DETAILS OF THE APPLICATION:

PARTICULAR OF THE APPLICANTS: *late-*

Dr. Manoranjan Paik, son of Mrityunjay Paik, aged about 59 years, by Occupation-Chief Medical Officer/OFH/Ishapore, permanently residing at Madhabkati, Hingaljanj, North 24 Parganas, West Bengal-743439.

...APPLICANT.

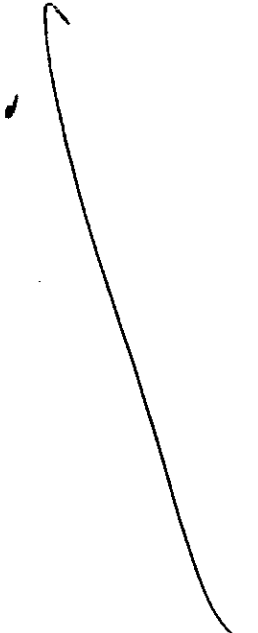
-VERSUS-

PARTICULAR OF THE RESPONDENTS:

1. Union of India, service through the Secretary, Ministry of Defence, New Delhi-110011.
2. The Director General of Ordnance Factory & Chairman, Ordnance Factory Board, 10A, S.K. Bose Road, Kolkata-700001.
3. The Director of Health Service, Ordnance Factory Board, 10A, S.K. Bose Road, Kolkata-700001.
4. The General Manger, Metal and Steel Factory, Ishapore, P.O.-Ishapore-Nawabganj, North 24-PGS, West Bengal, PIN-743144.
5. The Secretary, Department of Personnel & Training, Ministry of Home, New Delhi-110001.

...RESPONDENTS.

*WAL*



No.O.A.350/1155/2017

Date of order : 16.08.2017

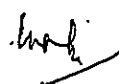
**Coram : Hon'ble Mr. A.K. Patnaik, Judicial Member****Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member**For the applicant : Mr. A. Chakraborty, counsel  
Ms. P. Mondal

For the respondents : Mr. P. Mukherjee, counsel

**ORDER (ORAL)****Dr.(Ms.) N. Chatterjee, A.M.**


Heard Id. counsel for both sides.

2. The case of the applicant, as argued by the Id. counsel, is that the applicant is working as Chief Medical Officer at the Metal and Steel Factory, Ishopore and that he is due to retire on 30.09.2017. That, DOPT has issued a notification to the effect that the age of superannuation with respect to General Duty Medical Officers and specialists included in training, non-teaching and Public Health Sub-cadres in Central Health Service shall be 65 years. That, claiming the said benefits the applicant, along with other similarly circumstanced employees, had moved an O.A.No.200/01145/2016 which was disposed of on 23.12.2016 with a direction upon the respondents for consideration. That, a speaking order was issued by the Respondents on 27.01.2017 stating that the matter had been taken up with the appropriate authorities of Government of India. That, interim relief had been granted to one Dr. Mukul Das with a direction upon the respondents to allow him to continue on the same post till final decision is taken in the matter by the respondents in O.A.No.200/00321/2017 and that, Hon'ble High Court of Madhya Pradesh vide order dated 29.05.2017 had directed that the interim order granted



by the Tribunal shall continue as usual with order that the benefit of the service would only be given to the petitioner if the age of superannuation is extended as is expected to be and if the age of superannuation is not extended, the petitioner shall refund the benefits given to him during his service after 31.05.2017. The petitioner/applicant's prayers are to implement the order No.254/CAT/MD/65/PER/M dated 27.01.2017 xxxxxxxxxxxxxxxxxxxx to the extent of the enhancement of the age of superannuation before the date of retirement of the applicant and to enhance the age of the applicant's superannuation from 60 to 65 years in terms of the DoPT Notification and extend to him <sup>with</sup> all the consequential benefits till attainment of his 65 years.

3. In our opinion, justice will be met by granting liberty to the applicant to make a representation to the competent authorities citing the order in W.P. No.7902 of 2017 dated 29.05.2017. Status quo as on date so far as continuance of the applicant will be maintained till the decision is communicated by the Respondents to the petitioner/applicant. Needless to say that we have not gone into the merits of the case and the O.A. is disposed of accordingly. No cost.

  
(Dr. N. Chatterjee)  
Administrative Member

  
(A.K. Patnaik)  
Judicial Member