

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No. OA 350/1267/2016

Date of order : 24.1.2017

**LIBRARY**

Present: Hon'ble Mr.A.K.Patnaik, Judicial Member  
Hon'ble Ms.Jaya Das Gupta, Administrative Member

SUBRATA KUMAR DAS  
S/o Late N.C.Das,  
Aged about 62 years,  
Worked as Ex. General Manager,  
Krishnanagar Telecom,  
Dist. - Nadia,  
West Bengal Telecom Circle,  
R/o 13/7 Anandapuri Housing  
Co. Op. Society Ltd., Benachity,  
Durgapur, Dist. - Burdwan,  
Pin - 713213.

Reurd: Mr.T.K.Biswas

...APPLICANT

VERSUS

1. Union of India, through  
The Secretary,  
Ministry of Communication  
& Information Technology,  
Dept. of Telecommunication,  
20 Ashoka Road,  
New Delhi - 110001.
2. The Chairman-cum-Managing  
Director, BSNL,  
Bharat Sanchar Nigam Bhawan,  
H.C.Mathur Lane,  
Janapath,  
New Delhi - 110001.
3. Director (HRD),  
Head Quarter,  
Corporate Office, BSNL,  
New Delhi.
4. Sr. G.M. (HRD/Personal)  
Head Quarter,  
Corporate Office, BSNL,  
New Delhi.
5. Asst. General Manager,  
DPC, Corporate Office,  
BSNL,  
New Delhi.

...RESPONDENTS.

For the applicant : Mr.T.K.Biswas, counsel

For the respondents: None

*W.H.*

O R D E R

Mr.A.K.Patnaik, J.M.

This OA has been filed by the applicant under Section 19 of the A.T. Act, 1985 seeking the following prayers :

- a) An order directing the respondents to constitute DPC forthwith and if applicant is found suitable for the post of SAG (Senior Administrative Grade) then treating him as promoted to the post of SAG and thereafter re-calculate the retirement benefits to the pay scale and grade of SAG and same may be released in favour of the applicant with all consequential benefits with interest;
- b) An order directing the respondents to consider the representation dated 8.7.2016 (Annexure A/5 to this application) within specific period;

2. Heard Mr.T.K.Biswas, Id. Counsel appearing for the applicant. None appeared for the respondents.

3. Mr. Biswas submitted that the applicant has made repeated representations dated 17.10.13 addressed to respondent No.2, 22.10.14 addressed to respondent No.3, 22.2.16, 22.4.16 and 8.7.16 addressed to respondent No.2. Mr.Biswas submitted that till date he has not received any response from the said respondent No.2.

4. As per the submission of Ld. Counsel appearing for the applicant the said representation so preferred by the applicant on 8.7.16 addressed to the respondent No.2 is still unanswered and hence without waiting for any reply, we think it proper to dispose of this matter by directing the respondent No.2 to consider the representation of the applicant if it is still pending consideration, keeping in mind the judgments passed by this Tribunal which was duly confirmed by Hon'ble High Court as well as Hon'ble Supreme Court of India and communicate the result thereof by way of a well-reasoned order within a period of 2 months from the date of receipt of this order. Though we have not expressed any opinion on the merit of the matter and all the points raised in the said representation stated to have been made on 8.7.16 are kept open for the said respondent No.2 to consider the same as per the rules and regulations in force as well as the applicability of the judgments rendered by this Tribunal, Hon'ble High Court and Hon'ble Supreme Court of India, still then we hope and

*W.A.*

trust that after such consideration if the applicant's grievance is found to be genuine then expeditious steps may be taken within a further period of 3 months from the date of such consideration to extend those benefits to the applicant.

5. With the aforesaid observation and direction the OA is disposed of.

(JAYA DAS GUPTA)  
MEMBER (A)

(A.K. PATNAIK)  
MEMBER (J)

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