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**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No. OA 350/1362/2016

Date of order : 21.2.2017

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

BHOLANATH GHOSH

Aged about 56 years,
Working as Supervisor (NT)
In the office of Metal & Steel Factory,
Ichhapore, Nababganj,
Dist. - North 24 Parganas,
Pin - 743144, West Bengal,
R/o 44 Garfa North Lake Road,
P.O.Santoshpur,
Kolkata - 700075.

...APPLICANT

VERSUS

1. Union of India, service through
The Secretary,
Ministry of Defence,
Dept. of Defence Production,
South Block,
New Delhi - 110001.
2. The Chairman,
Ordnance Factory Board/
Director General,
Ordnance Factories,
Govt. of India,
Ministry of Defence,
10A S.K.Bose Road,
Kolkata - 700001.
3. The Sr. General Manager,
Metal & Steel Factory,
Ishapore, Nawabganj,
North 24-Parganas,
West Bengal,
Pin - 743144.

...RESPONDENTS.

For the applicant : Mr.S.K.Dutta, counsel

For the respondents: None

[Signature]

O R D E RMr.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 holding that the denial of benefits of rationalization of Trades & Grades on the grounds stated in Annexure A/8 is not tenable in the eye of law and the same may be quashed and set aside.
- b) An order directing the respondents to grant the benefits of rationalization of Trades and Grades as was claimed by the applicant with all consequential benefits by considering the fact that the applicant was not responsible for non-compliance of the proviso of passing of Trade Test for qualifying to the Field Grade from Semi Skilled Grade and further directing the respondents to consider the same after finding ways and means for extension of such benefits.

2. Heard Mr.S.K.Dutta, Id. Counsel appearing for the applicant. None appeared for the respondents.

3. Mr. Dutta submitted that as the applicant has already ventilated his grievance by way of representation dated 3.12.15 followed by an appeal dated 26.12.15 before the respondent No.2 and till date no reply has been received by him, the applicant will be satisfied if respondent No.2 is given a direction to consider and dispose of the representation within a specific time frame.

4. We think it will not be prejudicial to either of the side if we allow the OA by directing the respondent No.2 to consider the representation, if any such representation/appeal is preferred by the applicant and is still pending consideration and dispose it of by a well reasoned order and communicate the same to the applicant within 6 weeks from the date of receipt of this order.

5. Though we have not expressed any opinion on the merit of the matter and all the points to be raised in the representation to be made are kept open for the said respondent No.2 to consider the same as per the rules and regulations in force, still then we hereby direct that after such consideration if the applicants' grievance is found to be genuine then expeditious steps may be taken within a further period of 6 weeks from the date of such consideration to extend those benefits to the applicant.



6. As prayed for by Mr.Dutta, a copy of this order along with the paper book of this OA be transmitted to respondent No.2 by Speed Post for which he will deposit the cost with the Registry within a period of one week.
7. 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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