

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

O.A 350/1386/2018

Date of Order: 18.09.2018.

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Shri Sudipta Ganguly, son of Late Poritosh Ganguly, aged bout 52 years, working as Assistant Engineer (Electrical) in the office of the Kolkata Central Electrical Division-V, CPWD, Govt. of India, 1<sup>st</sup> MSO Building, Nizam Palace, Kolkata, West Bengal, Pin - 700020, residing at Flat No. 202, 2<sup>nd</sup> Floor, Indu Apartment, 85, Swinhoe Lane, Kasba, Kolkata, West Bengal - 700042.

--Applicant

-versus-

1. Union of India through the Secretary, Ministry of Urban Development, New Delhi - 110001.
2. The Secretary, Ministry of Finance, Department of Expenditure, New Delhi - 110001.
3. The Director General, CPWD, Govt. of India, Nirman Bhawan, New Delhi - 110001.
4. The Special Director General (EZ-I), CPWD, Govt. of India, 234/4 AJC Bose Road, Kolkata - 700020.
5. The Executive Engineer, Kolkata Central Electrical Division-V, CPWD, Nizam Palace, Kolkata - 700020.

-----Respondents

For The Applicant(s): Mr. K. Sarkar, Counsel

For The Respondent(s): Mr. B. B Chatterjee, Counsel

ORDER (ORAL)

Per: Ms. Bidisha Banerjee, Member (J):

Heard Ld. counsel for both parties.

2. In this O.A the applicant has sought for the following reliefs:

" i) To issue direction upon the respondents and their main agents to cancel, quash and set aside the impugned order dated 06.09.2018 "A-15" forthwith.

ii) To issue direction upon the respondents to grant the benefit of bunching of pay to the applicants from Rs. 6500-10500 to Rs. 7450-11500 (pre-revised) and re-fix pay of the applicants in the corresponding pay band of Rs. 9300-34800 in PB-2 with Grade Pay of Rs. 4600/- in terms of the illustration 4A under Note 2A of Rule 7(1) of CCS (Revised Pay) Rules, 2008 and decision communicated by the respondents vide office memorandum No. 8/52/2011-EC.III dated 10.03.2017 with all consequential benefit including arrear monitory benefits thereof.

iii) To issue appropriate necessary direction to grant extension of benefit of the judgment of the Hon'ble CAT, Jaipur Bench vide OA no. 141/2012 "A-11" forthwith.

iv) And to pass such order or orders as to this Hon'ble Tribunal may deem fit and proper."

3. It is seen that an OM dated 06.09.2018 has been assailed in the present O.A, but no representation has been preferred against it by the applicant. The applicant has straightway rushed to this Tribunal without exhausting the available departmental remedy.

4. Accordingly, we direct the applicant to prefer a comprehensive representation addressed to the Respondent No. 3, the Director General, CPWD, Govt. of India, Nirman Bhawan, New Delhi, annexing copies of the judgments he wishes to rely upon, within 4 weeks from the date of receipt of a copy of this order.

5. In the event such representation is preferred, the said respondent authority shall delve in to the grievance highlighted in the representation consider them in the light of decisions referred therein and pass a reasoned and speaking order within 8 weeks thereafter.

6. Till such time, the OM dated 06.09.2018 shall not be implemented in regard to the present applicant.

7. It is made clear that we have not entered into the merits of the matter and, therefore, all points are kept open for consideration of the respondent authorities.

8. O.A accordingly stands disposed of. No costs.

(Nandita Chatterjee)  
Member (A)

(Bidisha Banerjee)  
Member (J)

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