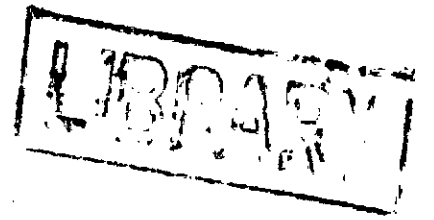


CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



No. O.A. 350/01618/2016

Date of order: 21.5.2018

Present : Hon'ble Ms. Manjula Das, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Dr. Joy Krishna De,
Son of Late Santosh Lal De,
Aged about 63 years,
Worked for gain as Scientist – D (Deputy Director),
Zoological Survey of India,
New Alipore,
Kolkata – 700 051.

.. Applicant

- VERSUS -

1. Union of India,
Service through the Secretary,
Government of India,
Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex,
Lodhi Road,
New Delhi – 110 003.
2. The Secretary,
Government of India,
Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex,
Lodhi Road,
New Delhi – 110 003.
3. The Deputy Secretary,
Government of India,
Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex,
Lodhi Road,
New Delhi – 110 003.
4. The Director,
Zoological Survey of India,
Prani Vigyan Bhavan,
'M' Block,
New Alipore,
Kolkata – 700 053.

.. Respondents

For the Applicant : Mr. P.C. Das, Counsel
Ms. T. Maity, Counsel

For the Respondents : Mr. P. Mukherjee, Counsel

O R D E R (Oral)



Per Ms. Manjula Das, Judicial Member:

Ld. Counsel for both sides are present.

2. On 20.12.2016, this Tribunal granted 4 weeks' time to the respondents to file reply. However, no reply has been filed. On 22.3.2017, further 4 weeks' time is allowed to file reply, but no reply has been filed by the respondents. On 27.4.2017, when the matter was again listed the respondent authorities were granted 2 weeks' time to file reply. On 12.6.2017, again 6 weeks' time was allowed to the respondents to file reply. However, no reply has been filed by the respondents. Thereafter, the case was listed on 13.11.2017, 17.11.2017 and 16.3.2018 and on each occasion time was granted to the respondents to file their reply. But no reply has been filed by the respondents.

3. Mr. P.C. Das, Id. Counsel submits that vide order dated 25.2.2014 the respondents authorities vide office order No. 24/2014 approved ante-dating of in-situ promotions of Scientists of ZSI where altogether 53 promotees were there and amongst them the applicant's name appeared at Srl. No. 35. According to the Ld. Counsel despite order passed by this department, the same has not yet been implemented. For the inaction of the respondent authorities, the applicant is suffering and hence approached this Tribunal for redressal of his grievances.

4. We note that despite several opportunities granted to the respondents to file their reply, however the respondents restrained themselves from filing reply.

5.  The above circumstances, we are of the view that let the department to  decide the matter in the light of their order dated 25.2.2014 towards implementation of their own order dated 25.2.2014 under No. 24/2014.



6. Accordingly we direct the respondent authorities, more particularly respondent No. 1 to implement their own order dated 25.2.2014 passed under the Office Order No. 24/2014 within a period of three months from the date of receipt of a copy of this order with due opportunity to the applicant of being heard.

It is made clear that we have not gone into the merits of and all the law points are kept open while deciding the matter, by the department.

7. With the above observation and direction, the O.A. is disposed of.

(Dr. Nandita Chatterjee)
Administrative Member

(Manjula Das)
Judicial Member

SP