



In the Central Administrative Tribunal
Calcutta Bench, Calcutta.

Original Application No. 1283 of 2017

Ananda Bhakat

Son of Sri Krishna Chandra Bhakat

resident of Sanctoria Bazar, P.O. Dishergarh,

P.S. Kulti, District West Burdwan,

AB. Pin Code- 713333. Working as Senior Technician
cum operating Trainer in the office of
Durgapur Steel Plant, Durgapur, W.B.
Applicant.

-Versus-

1. Union of India, service through the

Secretary to the Government of India,

Ministry of Steel, Udyog Bhawan,

New Delhi- 110107.

2. General Manager,

Personnel and Administration Durgapur Steel

Plant, Ispat Bhawan, Maingate, P.O. & P.S.

Durgapur, West Burdwan, Pin Code 713203.

3. Deputy General Manager I/C (Plant Personnel

Blooming and Billet Mill Department,

Durgapur Steel Plant, Ispat Bhawan.

AC

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-: 2 :-

Main gate, Durgapur, P.O. & P.S.

Durgapur, West Burdwan,

Pin Code 713203.

4. Steel Authority of India,

Ispat Bhawan, Lodhi Road,

New Delhi- 110033.

... Respondents.

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1283/2017

Date of Order: 25.09.2018

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

For the Applicant(s): Mr. A. Biswas, Counsel

For the Respondent(s): Ms. R. Basu, Counsel

ORDER (ORAL)

Mr. A.K Patnaik, Member (J):

Heard Ld. Counsel appearing for both the parties.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

“a) Respondents particularly Respondent Nos. 2 and 3 to regularise the promotion order of the applicant issued under No. BBM/PRO/NOR/O/43188 dated 02.02.2013 promoting the applicant to S-4 grade, Cluster B, in the scale of pay Rs. 9440-3%-13930 by notionally predating the date of promotion of the applicant from 02.02.2013 to 30.06.2012 as per policy decision of the Durgapur Steel Plant Authority applied to all the employees for reckoning future promotion of the applicant from above notional date of promotion i.e 3th June, 2012 and to remit the said decision to the competent authority in the office of IISCO Steel Plant, Burnpur for giving effect to the said decision by incorporating the same in the personal file/service record of the applicant lying in the office of said IISCO Steel Plant, Burnpur.

b) direction be issue upon the respondent Nos. 2 and 3 to produce the records of the case before this Hon'ble Tribunal so that appropriate order or direction may be passed.

c) Any other order or direction as to this Hon'ble Tribunal may deem fit and proper.”

Wd

3. The applicant, who was appointed as Junior Technician-cum-Operative Trainee w.e.f. 11.10.2007 in Durgapur Steel Plant, on completion of successful training was appointed as Technician in S-3 Grade. Subsequently, he was promoted in S-4 Cluster-B w.e.f. 02.02.2013. The grievance of the applicant is that although similarly circumstanced employees' date of promotion has been predicated from 02.02.2013 to 30.06.2012 notionally in terms of the policy decision of Durgapur Steel Plant, the same was not granted to him, for which, he will be deprived of his due seniority and other consequential service benefits.

4. It is submitted by the Ld. Counsel for the applicant that ventilating his grievance applicant has made representation on 09.01.2017 (Annexure-A/8) before the authorities but till date no action has been taken. Ld. Counsel for the applicant submitted that the grievance of the applicant may be redressed if the Respondents are directed to consider the representation within a specific time frame.

5. Although reply has been filed in this case but since the representation of the applicant is stated to be pending, after hearing Ld. Counsel for the parties, without entering into the merit of the matter and without any opinion on the delay, we dispose of this O.A. by directing the Respondents to consider the representation of the applicant under Annexure-A/8 as per rules and regulations in force and pass a reasoned and speaking order within a period of six weeks from the date of receipt of copy of this order. We make it clear that if after such consideration the applicant is found to be entitled to the relief claimed by them then expeditious steps be taken within a period of further six weeks to predicated his promotion notionally. We also make it clear that if in the meantime the representation of the applicant has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks.

6. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

7. Copies of this order be handed over to the Ld. Counsels for both the sides.

(Dr. Nandita Chatterjee)
Member (A)

(A.K Patnaik)
Member (J)

RK/PS