

LIBRARY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

An Application U/s. 19 of the Administrative Tribunal Act, 1985.

ORIGINAL APPLICATION NO. 350/1441 OF 2018

alias Ranjit Saha
Ranjit Kumar Saha, son of Late

Subol Chandra Saha, aged about 63

years, worked as Driver (Retd.),

residing at Farakka, Block 9 H-2,

176, P.O. Farakka, District -

Murshidabad, Pin - 742212.

... Applicant

- Versus -

1. Union of India, service through
the Secretary, Govt. of India,
Ministry of Water Resources, River
Development & Ganga Re-
juvenation, Shram Shakti Bhawan,
Rafi Marg, New Delhi - 110001.

2. The General Manager, Farakka
Barrage Project, P.O. Farakka

22

Barrages, District : M.

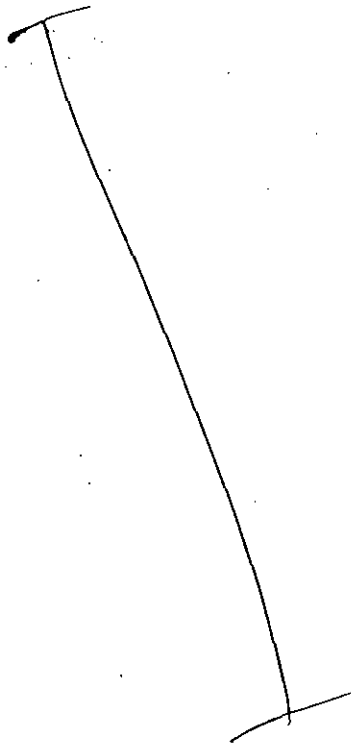
W.B., Pin - 742212.

3. The Under Secretary(FBPE-III),
Ministry of Water Resources Shram
Shakti Bhawan, Rafi Marg, New
Delhi - 110001.

4. The Sr. Administrative Officer,
Farakka Barrage Project, P.O.
Farakka Barrage, District :
Murshidabad, W.B., Pin - 742212.

.....Respondents

all



-3-

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1441/2018

Date of Order: 07.01.2019

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

Ranjit Kumar Saha alias Ranjit Saha -vs- Farakka Barrage Project

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

Mr. P. Sanyal, Counsel

For the Respondent(s): Mr. P. Mukherjee, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Mr. A.K.Banerjee, Ld. Counsel for the applicant, and Mr. P.Mukherjee, Ld. Counsel appearing for Official Respondents, in extenso.

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

(a) To direct the respondent authorities to grant the Hospital Patient Care Allowance (commonly known as HPCA) as per his enlistment with effect from 5.1.1991 particularly having regard to the recommendation by a Committee appointed by the authority in this respect and also considering the fact that other similarly circumstanced employees of Central Government Hospitals are enjoying the said allowance and further directing them to grant all consequential benefits and arrears to the applicant.

b) To direct the respondent authorities to release such payment as per DOPT norms and guidelines.

c) An order directing the respondents to pay interest to the applicant from the date of his entitled.

d) And to pass such order or further order or orders as Your Lordships may deem fit and proper."

3. Brief facts of the case as narrated by the Ld. Counsel for the applicant is that the applicant was engaged initially as Master Roll Helper in 1975 in Farakka Barrage Project Hospital, Murshidabad and later was engaged as work charged employee w.e.f 03.12.1980 and subsequently worked as Driver Gr. I in the said

WAL

Hospital and retired on 01.01.2017. It is stated by the ld. Counsel for the applicant that, the applicant belongs to one of the left out categories of the said Hospital who has been denied the lawful entitlement of the Hospital Patient Care Allowance, which has been granted to other similarly placed employees of other organizations. It is further submitted that he has also not been paid the Bonus for the period 2016-2017, benefit of C.G.S (LIC) and 2% of Dearness Allowance, which has been paid to others. Ld. Counsel for the applicant submitted that ventilating his grievance the applicant has preferred representation, which is still pending. The applicant has annexed the status report dt. 20.06.2018 (Annexure-A/7) in this regard. He further submitted that grievance of the applicant may be redressed if Respondent No.4 is directed to consider the said representation as at Annexure-A/7 within a specific time frame.

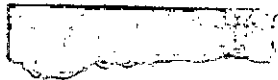
4. Having heard Ld. Counsel for the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 4 to consider the representation of the applicant as at Annexure-A/7, if the same has been filed and is pending for consideration, and pass a reasoned and speaking order as per rules and regulations within a period of six weeks from the date of receipt of copy of this order. It is made clear that if after such consideration the applicant is found to be entitled and is otherwise eligible then expeditious steps be taken to grant him the benefit of Patient Care Allowance within a further period of six weeks from the date of such consideration. I make it clear that if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks.

5. With the aforesaid observation and direction, this O.A. stands disposed of.

No costs.

WJL

6. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 4, for which, he undertakes to deposit the cost with the Registry within a week.
7. Copies of this order be handed over to the Ld. Counsel for the parties.


(A.K.Patnaik)
Member(J)

RK/PS

