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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH AT KOLKATA

O.A. No. 350/1429/2018

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

In the matter of;

Raj Narayan Rai, son of Late

Srikrishna Rai, residing at 41/3,

Bhairab Dutta Lane, Oriaparah,

Howrah- 711106

..... Applicant

-Versus-

1. Union of India represented by  
the Secretary, Ministry of Commerce  
& Industry, Department of Industrial  
Policy & Promotion, Udyog Bhawan,  
New Delhi- 110011.

2. The Salt Commissioner, Lavan  
Bhawan, 2A, Lavan Marg, Shalane  
Dungri, Jaipur, Rajasthan, Pin-  
302004.

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3. The Deputy Salt Commissioner,  
Shastri Bhawan, Block A, 4<sup>th</sup> Floor,  
26, Haddows Road,  
Nungambakkam, Chennai, T.N. Pin  
600006.

4. The Assistant Salt  
Commissioner, 1, Council House  
Street, Kolkata- 700001.

..... Respondents

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CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

O.A/350/1429/2018

Date of Order: 04.01.2019

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

RAJ NARAYAN RAI -VS- M/O COMMERCE

For the Applicant(s): Mr. B. Bhushan, Counsel

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

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Mr. B.Bhushan, 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 respondents to cause them to act in accordance with Government of India, Ministry of Finance, Department of Expenditure (Implementation Cell) Office Memorandum dated 14.7.2003 and grant higher pay scale of Rs. 5500-9000 w.e.f 01.01.1996 notionally and actual payments w.e.f 11.02.2003 with all consequential benefit thereto.

b) To direct the respondents to grant the benefit of order dated 09.11.2006 passed in O.A 912/04 and 939/04 as affirmed by Hon'ble High Court at Calcutta and duly approved by the Hon'ble Apex Court and grant of higher pay scale of Rs. 5500-9000 w.e.f 26.09.2000 notionally and actual payments w.e.f 11.02.2003 with all consequential benefits.

c) to direct the respondents to pay interest @ 18% p.a on the arrears so receipt.

d) Cause of the suit.

e) Any other order or orders as this Hon'ble Tribunal may deems fit and proper. ”

*Wd*

3. Brief facts of the case as enumerated by the Ld. Counsel for the applicant is that the applicant was initially appointed as Hindi Translator in the scale of Rs. 5000-8000/-. The applicant is aggrieved as he is not getting higher pay scale of Rs. 5500-9000/- in terms of Govt. of India, Ministry of Finance Office Memorandum dated 14.3.2007 notionally w.e.f 26.9.2000 with all consequential benefits. It is the case of the applicant that similarly circumstanced persons filed cases before the Hon'ble CAT's various benches and the Office Memorandum, under question, was quashed and the authorities were directed to remove the anomalous position by extending and granting upgraded pay scales. In this regard, the applicant has relied upon the various orders passed by different Benches/Hon'ble Courts under Annexure-A/3, A/4, A/5 and A/7. Ld. Counsel for the applicant submitted that ventilating his grievance the applicant has preferred a representation on 29.01.2018, with subsequent reminders (Annexure-A/6) before Respondent No.2 but that has not yet been considered. He further submitted that grievance of the applicant may be redressed if Respondent No.2 is directed to consider the said representation dated 29.01.2018 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. 2 to consider the representation dt. 29.01.2018 of the applicant, if the same has been filed and is pending for consideration, keeping in mind Annexure-A/3, A/4, A/5 and A/7 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. I make it clear that if after such consideration the applicant is found to be entitled and eligible then expeditious steps be taken to grant him the benefit of upgradation within a further period of six weeks from the date of such consideration. I make it clear that if in

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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.

6. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent Nos. 2 and 3, 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

