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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

AN APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNAL ACT, 1985.

O.A. No. 350/148 of 2019

SRI AVIK KUMAR BASU, Son of Late Atul Chandra Basu, Retired from service from National Test House, having its office at Salt Lake City, Kolkata - 700 091, and residing at: 2/30A, Ajadgarh, Tollygunge, P.S.: Jadavpur, Kolkata - 700 047, and retired from service on 31.5.18.

..... Applicant.

- Versus -

1. Union of India, through the Secretary, Govt. of India, Ministry of Consumer Affairs, Food & Public Distribution, Deptt. of Consumer Affairs, Krish Bhawan, New Delhi-110 001.

2. The Director General, Govt. of India, Ministry of Consumer Affairs, Food & Public Distribution, Deptt. of Consumer Affairs, Salt Lake, Cal - 700091

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3. The Director, National Test House,  
Eastern Region(ER), Block-CP, Sector-V,  
Salt Lake City, Kolkata - 700 091.

..... Respondents.

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CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

O.A/350/148/2019

Date of Order: 15.02.2019

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

Avik Kr. Basu -vs- National Test House

For the Applicant(s): Mr. N. Roy, Counsel

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

ORDER (ORAL)

A.K. Patnaik, Member (J):

Heard Mr. N.Roy, Ld. Counsel for the applicant. Mr. Roy submitted that he has already sent copy of the O.A., along with annexures, to the Respondents.

2. As no-one appears on behalf of the Respondents and Mr. B.P.Manna, who usually appears for the Union of India, is present in the Court, on my request, Mr. Roy has served copy of the O.A., along with annexures, on him as I do not want the Official Respondents to go unrepresented. Heard Mr. B.P.Manna, in extenso.

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

“ a) To issue direction upon the respondent authority to consider the representation for promotional benefit along with other service benefit of consequential benefit pay be given forthwith;

b) To issue further direction upon the respondents to give promotional (MACP) and other service benefit and delayed payment of interest 12% may be considered forthwith;

c) Any other order or further order or orders as deem fit and proper under the circumstances of the case;

d) To produce Connected Departmental Record at the time of hearing.”

*AK*

4. The case of the applicant, in nutshell, as submitted by Ld. Counsel is that the applicant joined the office of the respondents on 14<sup>th</sup> January, 1983 as LDC and, subsequently, was promoted to UDC on 17.01.96. He retired from service on 31.5.18. Ld. Counsel for the applicant states that after his promotion to the post of UDC in the year 1996, no further promotional benefit or MACP was given to the applicant. Ld. Counsel further submits that the similar person, viz. Sri Samir Kumar Barui, has been granted the benefits by the authorities but his case has not been considered despite there being no criminal or disciplinary proceedings pending against the applicant.

5. Ld. Counsel for the applicant fairly submitted that although the applicant has preferred a representation dated 30.04.2018 (Annexure-A/11) before Respondent No.3 but till date nothing has been communicated to him. He further submitted that the grievance of the applicant may be more or less redressed if the said authority is directed to consider his representation within a specific time frame.

6. Having heard Ld. Counsel for both the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 3 to consider the representation of the applicant under Annexure-A/11, 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. I make it clear that if after such consideration the applicant is found to be entitled to get the promotional benefits/MACP then necessary expeditious steps be taken within a further period of six weeks to grant him the said benefit of promotion/MACP. I also 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.



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

No costs.

8. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 3, for which, he undertakes to deposit the cost with the Registry within a week.

9. Copies of this order be handed over to the Ld. Counsel for the parties.

(A.K.Patnaik)  
Member(J)

RK/PS

