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**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/350/1810/2017

Date of Order: 18.09.2019

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Dr. N. Krishna Murthy, S/o Late N. Subba Rao,
 aged about 43 years, occupation-service residing
 at -Qtrs No. 35/2, the Park, P.O-Ichapur,
 Nawabgunj, Dist-24 Pgs (N), W.B. 743144.

--Applicant.

Vs

1. Union of India, through the Secretary,
 Deptt. of Defence Production,
 Ministry of Defence, P.O- Nirman Bhawan,
 New Delhi- 110011.
2. The Directorate General of Quality Assurance,
 Department of Defence Production,
 P.O. -Nirman Bhawan,
 New Delhi - 110001.
3. The Controller,
 Controllorate of Quality Assurance (Metals)
 P.O - Ichapur Nawabgunj,
 Dist - North 24 Pgs.
 West Bengal - 743144.

--Respondents

For The Applicant(s): Ms. M. Saha, counsel

For The Respondent(s): Mr. A. K. Chattopadhyay, counsel

ORDER (O R A L)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both sides.

2. This application has been filed to seek the following reliefs:

- "8.1) Grant of NFSG to the applicant in Metallurgy discipline on and from 12.9.2015.
- 8.2) Proper pay Fixation in the proper Grade Pay of Rs. 37400/- plus Grade pay of Rs. 8700/- w.e.f. 12.09.2015.
- 8.3) Give arrears of payment in the revised Grade pay wef 12.09.2017.
- 8.4) To quash and set aside the order and communication of the Respondent No. 2 dated 11.10.2017.
- 8.5) Payment of all arrears with retrospective effect.
- 8.6) Any other relief or reliefs which the petitioner is entitled to."

3. At hearing, it transpired that the applicant has vide representation sought for promotion in place of one Shri P.C. Jha who has been granted promotion w.e.f 12.09.2015 and has contended that the said Shri P.C. Jha ought to have been granted promotion w.e.f 29.12.14 and would agitate that he ought to have been considered w.e.f 12.09.2015 instead of P.C. Jha. We find that the said representation has not yet been disposed of with a speaking order. Respondents have simply rejected the claim on the basis of some DPC proceedings of 2017.

4. Since the ld. counsel for the applicant has tried to substantiate her claim but we find that some mistakes have crept in the representation dated 28.08.2017 at Annexure A-9, we grant liberty to the applicant to agitate afresh, filing a fresh representation and a comprehensive one, to the respondent No. 2, DGQA, within 4 weeks from the date of receipt of a copy of this order, which if preferred, shall be duly considered and dispose of with a reasoned and speaking order in accordance with law by the competent authority. In the event, the grievance of the applicant is found to be genuine, the consequential benefits shall be accorded to him within 3 months thereafter.

5. It is made clear that we have not entered into the merit of the matter and all the points to be raised in the representation are kept open for the respondents to consider.

6. Accordingly, the O.A is disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)