

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 133 of 2013

Date of order : 4.2.2016

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member

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CHANDAN KARMAKAR & ORS.

VS

UNION OF INDIA & ORS.

For the applicants : Mr.K.Sarkar, counsel

For the respondents : Ms.M.Bhattacharya, counsel

O R D E R

This matter is taken up in the Single Bench in terms of Appendix VIII of Rule 154 of CAT Rules of Practice, as no complicated question of law is involved, and with the consent of both sides.

2. The present OA has been filed by the applicant seeking the following reliefs :

- a) Leave be given to the applicants to file this joint application in terms of Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987;
- b) to direct the respondents to cancel, withdraw and/or rescind the purported memo dated 31.12.12 of the respondent No.4 herein as contained in Annexure A/9 herein;
- c) to direct the respondents to step up the pay of the applicants at least at par with their juniors who were selected subsequently after the applicants in terms of Divisional Gradation List corrected upto 1.7.11;
- d) to direct the respondents to remove the anomaly by granting pay protection to the applicants herein, who are admittedly seniors being recruited for the year 1997 with reference to their juniors, namely, the candidates recruited for the subsequent year 1998, irrespective of their joining in the post concerned;
- e) to direct the respondents to consider the case of the applicants in terms of upward fixation of pay along with other consequential benefits with retrospective effect since their joining with reference to the candidates recruited for the subsequent year 1998;

3. In the gradation list (Annexure A/11) of 1.1.05 the date of entry into service, for the applicant has been depicted as 20.12.01. In view of such his claim for pay protection at par with juniors who were inducted in 1998 would not be tenable.

4. The applicant in order to get proper relief should first seek conferment of date of appointment at par with such juniors.

5. Therefore the OA is disposed of with liberty to the applicant to seek appropriate remedy. No order is passed as to costs.

(BIDISHA BANERJEE)
MEMBER (J)

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