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CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



OA. 350/01338/2014

Date of Order: 18.02.2016

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

Dipakmoy Banerjee

Vs.

K. V. S.

For the Applicant : Mr. AK Paul, Counsel

For the Respondents : Mr. TK Biswas, Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:-

This matter is taken up in 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 the parties.


2. Heard both.

3. Learned counsel for respondents submits that reply shall be filed by 10 days.

4. Learned counsel for the applicant submits that the applicant is governed by the circular dated 05.07.2013 and he shall seek consideration in the light of the said circular. Since no departmental remedies have been exhausted by the applicant, liberty is given to the applicant to file fresh representation seeking the benefits. The OA is therefore disposed of with a direction upon the applicant to prefer a representation to the Commissioner, respondent no. 2 within a period of one week from the date of receipt of a copy of this order. Upon receipt of the same, the concerned respondent shall duly consider the case of the applicant, in accordance with law and pass an appropriate reasoned and speaking order in the light of the circular dated 05.07.2013, within a period of 2 months.

5. It is needless to say that if the applicant is found entitled as prayed for, the same shall be extended to him within a further period of one month thereafter.

6. Since no opinion has been expressed on merit in the matter, all points are kept open for consideration by the respondents.
7. OA is accordingly disposed of. No costs.


(Bidisha Banerjee)
Member (J)

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