

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

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O.A.350/01356/2015

Date of order : 17.09.2015

Présent : Hon'ble Mrs. Bidisha Banerjee, Judicial Member

Hon'ble Mr. R. Bandyopadhyay, Administrative Member

GOBINDA KR. MUKHERJEE

VS.

UNION OF INDIA & ORS.

For the applicants : Mr. B.R. Das, counsel

For the respondents : Mr. C.S. Bag, counsel

ORDER

Per Mrs. B. Banerjee, J.M.

Heard both sides.

2. This application has been filed under Section 19 of Administrative Tribunals Act, 1985 seeking the following reliefs:-

- "i) Rescind, recall, withdraw and/or cancel the Orders A1 and A2 and/or modify/amend the order A1 insofar as it concerns the petitioner to fix his pay on promotion as Sr. Sub-Divisional Engineer on the date of promotion on 18.07.2006 with DNI on 18.07.2007;
- ii) Recalculate the last pay drawn on date of superannuation on 30.11.2007 and recast his pension and all pensionary benefits accordingly;
- iii) Pay him all the arrears on account of (i) & (ii) above, with appropriate interests thereon forthwith;

AND

- iv) Certify that transmit the entire records and papers pertaining to the applicant's case so that after the causes shown thereof conscionable justice may be done unto the applicant by way of grant of reliefs as prayed for in (i) to (iii) above;
- v) Any further order/orders and/or direction/directions as to your Lordships may deem fit and proper;

vi) Costs."

3. It is noticed that a representation for rectification of the upgradation of pay scale was preferred before the General Manager(Finance), Calcutta Telephone District, B.S.N.L., Telephone Bhawan, Calcutta dated 04.09.2015, by the applicant which was rejected vide order dated 16.02.2015 without assigning any reason.

4. In such view of the matter, the matter is remanded back to the Respondent No.5, the General Manager(Finance), Calcutta Telephones, who/any other competent authority shall look into the grievance of the applicant and pass a reasoned and speaking order in accordance with the law within a period of two months from the date of communication of this order.

5. We have not expressed our opinion on merits of the case. All points are kept open for consideration by the respondents.

6. The O.A. stands disposed of. No cost.

(R. Bandyopadhyay)
Administrative Member

(Bidisha Banerjee)
Judicial Member

s.b