
(2020) 08 JH CK 0264

In the Jharkhand High Court

Case No : Writ Petition(S) No. 6036 of 2014

Union of India & others

APPELLANT

Vs

Tarani Sen Lenka

RESPONDENT

Date of Decision : 27-08-2020

Acts Referred:

Citation : (2020) 08 JH CK 0264

Hon'ble Judges : Aparesh Kumar Singh, J;Anubha Rawat Choudhary, J

Bench : Division Bench

Advocate : Nitu Sinha, Rahul Kumar Das

Judgement

Mrs. Nitu Sinha, learned Central Government Counsel for the petitioner Union of India and learned counsel Mr. Rahul Kumar Das for the applicant / respondent are present through Video Conferencing.

Petitioner Union of India is aggrieved by the review order (Annexure-5) dated 31.12.2012 passed in R.A. No. 04/2012 (arising out of O.A. No. 237 of 2010[R]) by the learned Central Administrative Tribunal, Patna Bench at Ranchi whereby the learned CAT has expanded the relief granted to the applicant and directed the benefits of pay scale of skilled category from the initial date of joining.

According to the petitioners, learned CAT while disposing the Original Application followed the order passed in O.A. No. 804 of 1998 and O.A. No. 2634 of 2004 by the learned Principal Bench, CAT. However, in review, though the orders passed by the Principal Bench did not direct consequential benefits to be paid from initial date of joining, learned CAT relying upon certain orders passed in other O.As. has expended the relief. This is not in consonance with the orders passed by the Principal Bench and other courts. It has entailed substantial financial burden on Union of India, that too without any justifiable legal basis. Learned counsel for the Union of India prays for short time to submit the orders passed in O.A. No. 804 of 1998 and O.A. No. 2634 of 2004 through email to the Court Master for perusal of this Court.

Learned counsel for the applicant / respondent Mr. Rahul Kumar Das also undertakes to supply those orders through email by the next date. Mr. Das also prays for short time to place certain orders passed in other O.A.s where according to him such relief has been granted.

Apart from the grievance raised by the petitioner on merits, one of the main issue in the present writ petition is whether the learned CAT was right in expanding the relief granted in the original application.

As prayed for by learned counsel for the parties, let the matter appear on 03.09.2020. The email containing orders passed in other cases be sent by learned counsel for the parties at least 24 hours before the next date to the Court Master. Interim order, if any, shall continue till the next date.