

ORDER SHEET

IA NO.GA/1/2021

IN

APOT/2/2021

IN THE HIGH COURT AT CALCUTTA

Civil Appellate Jurisdiction

ORIGINAL SIDE

SOMJIT BANERJEE

Versus

UNION OF INDIA AND ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM SINHA

And

The Hon'ble JUSTICE SUVRA GHOSH

Date : 1st March, 2021

Appearance:

Mr. Sanat Kr. Roy, Adv.

Mr. Abhishek Banerjee, Adv.

for appellant

Mr. Souvik Nandy, Adv.

for respondent nos.4 and 5

The Court : Parties appear. They agree that this appeal can be taken up and disposed of without calling for formalities and upon dispensation of service of notice of appeal.

Mr. Roy, learned advocate appears on behalf of appellant and submits, impugned order dated 14th January, 2021 expressing view that since post of appellant is in nature of civil service of the Union or a civil post under the Union, the service being in nature of all India service under control of Government of India, Central Administrative Tribunal would have jurisdiction, this Court lacking it, should be set aside in appeal. Mr. Nandy, learned advocate appears on behalf of respondents and hands up communication dated 11th February, 2020 on subject of proposal regarding inclusion of Board of Practical Training under purview of the Tribunal. He submits, notification has not yet been made.

In view of submissions recorded above, impugned order cannot be sustained and is reversed. The writ petition is maintainable.

The appeal is disposed of.

(ARINDAM SINHA, J.)

(SUVRA GHOSH, J.)

sb.