

14 **15.12.
2022**

Ct. No. 04

Ab

WP.CT 66 of 2022

Union of India and others

Vs.

Shri H. P. Patra.

**Mr. Ashok Chakraborty, Ld. ASG,
Mr. Anirban Mitra.**

... for the petitioners.

**Mr. P. C. Das,
Mr. S. K. Ganguli.**

... for the respondent.

The Union of India have filed the instant writ petition assailing the judgement and order dated 9th November, 2021 passed by the Central Administrative Tribunal, Kolkata Bench in OA 817 of 2021, wherein the charge sheet issued by the authority was quashed and liberty was granted to the petitioners to act in accordance with law.

Mr. Anirban Mitra, learned Advocate appearing for the petitioners, submits that during consultation with his clients he was informed that in a spate of litigation before this Court concerning identical and similar circumstances, some of the respondents have died though he was unable to disclose the name. When the instant writ petition is taken up, we invited attention of the learned Advocate appearing for the respondent whether the respondent is alive and we are informed by the said learned Advocate with an authority to his command that his client is alive. Believing such statement to be true, we proceeded to hear the instant writ petition. It would be profitable and relevant to adumbrate the undisputed facts discerned from the record.

The instant writ petition arises from a common

judgment and order disposing of the three independent tribunal applications being OA 817 of 2021 (J. Sanmukh Rao vs. Union of India and others), OA 737 of 2021 (Haripada Patra vs. Union of India and others) and OA 1032 of 2021 (Dilip Kumar Saha vs. Union of India and others).

WP.CT 65 of 2022 was taken up yesterday wherein the common order was the subject matter of challenge and we have delivered a judgment thereupon.

We feel that since the common judgment and order is challenged separately by the Union of India, the fate of WP.CT 65 of 2022 shall be the same in the instant writ petition.

The instant writ petition is disposed of in terms of the judgment rendered in WP.CT 65 of 2022.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)