

OD-2

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/1892/2023
CHITTARANJAN PATRA
-VS-
UNION OF INDIA AND ORS.

BEFORE:
The Hon'ble JUSTICE RAJASEKHAR MANTHA
Date : 21ST March, 2024.

Appearance :
Mr. C.R. Chakraborty, Adv.; Mr. S. Banerjee, Adv.; Ms. P.R. Jaiswara, Adv., for
petitioner.
Mr.Mr. A. Bhaumik, Adv.; Mr. S. Santra, Adv., for UOI.
Mr. S. Majumder, Adv.; Mr. S. Ghosh, Adv.; Mr. A. Bakshi, Adv., for respondents nos.2
to 5.

The Court: 1. The Indian Museum has submitted a chart in aid of their
report dated March 11, 2024. The chart indicates and makes explicit the list of
dates at pages 6 to 8 of the report.

2. It appears that in 1998, the petitioner obtained a “personal upgradation”
on his application from pay grade S-7 to S-8 with retrospective effect from the
date of his joining service, i.e. December 16, 1992.

3. This Court notes that such personal upgradation to an individual
employee of the Central Government is unheard of.

4. Counsel for the petitioner seeks to support the same by referring to the 4th pay commission. Admittedly, no other employee in the Indian Museum ever got the same.

5. By reason of the said upgradation, the petitioner was disentitled of the first tranche of the MACP, i.e. from 1992 to 2002. In the second tranche, i.e. from 2002 to 2012, the petitioner secured a promotion on November 22, 2004 from S-1 to S-12. He was therefore disentitled to the second tranche of MACP between 16.12.2002 to 16.12.2012.

6. He retired on July 31, 2020 before completion of the third tranche which would be accrued to him had he served until 15th December 2022.

7. This Court further notes that the writ petitioner appears to have stolen a march and got special status within the Indian Museum not available to any other employee similarly situated in any institution across the country in any central or autonomous institution across the country.

8. No relief can be granted to the petitioner.

9. The writ petition stands dismissed. No order as to costs.

(RAJASEKHAR MANTHA, J.)