

14th July, 2025
(D/L No.85)
Ct. No.4
(SKB)

W.P.C.T. 29 of 2025

Dulal Roy
Versus
Union of India and others

Mr. Asim Kumar Niyogi,
Mr. Vaskar Pal
... for the petitioner.

Mr. Suman Chattopadhyay,
Ms. Tapasi Sinha Palit
... for the respondents.

1. The petitioner seems to have invoked the jurisdiction of the Central Administrative Tribunal (in short 'Tribunal') by filing O.A. No.1736 of 2008. The O.A. was disposed of in the following terms:

“5. On careful consideration of the rival contentions of the parties, this OA stands disposed of with a direction to the respondents now to decide the period of suspension of the deceased railway servant from 24.4.1984 to 6.12.1985 and thereafter excluding the subsistence allowance, rest of the arrears be paid to the applicants, insofar as relief of *ex gratia* and over time is concerned, it is directed that the claim of the applicants shall now be considered by passing a speaking order within a period of two months from the date of receipt of a copy of this order. As the suspension period has been treated as spent on duty, the arrears thereof shall also be disbursed to the applicants within the aforesaid period. No costs.”

2. It appears thereafter that the writ petitioner has invoked the contempt jurisdiction of the Tribunal. The contempt proceeding has also been disposed

of by recording that the applicants/respondents have been paid the arrears. There was also a commitment recorded in the order of the Tribunal dated 6th April, 2010 passed in C.P. No.160 of 2010 that in respect of the remaining three applicants, the arrears shall be released whenever they approach the respondents as legal heirs of the deceased employee. The Tribunal further recorded that the respondents have given a calculation leading to the payments by a speaking order.

3. When we have made a query to the learned counsel for the petitioner as to why the present writ petition has been filed assailing these orders, he submits that according to the writ petitioner, there are some more demands of arrears under certain heads which have remained unpaid. He submits that he would be invoking the jurisdiction of the Tribunal in respect of such claim.
4. Since the purported claim has not been disclosed and we have not gone into the merits of the case, without expressing any opinion on the said submission, we reserve the petitioner's liberty to invoke the jurisdiction of the appropriate forum in accordance with law.

5. The writ petition is, thus, disposed of.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)