

05.05.2025
(M/L-28)
Ct. No.4
(B.K.N.)

W.P.C.T. 80 of 2025
With
CAN 1 of 2025

The Principal Commissioner of CGST & CX, Kolkata
North CGST & CX Commissionerate
Vs.
Arindam Roy & Ors.

Mr. Vipul Kundalia,
Ms. Aishwarya Rajyashree
...for the Petitioner

Mr. Debasish Ghosh,
Mr. Debopriyo Karan
...for the Respondents

In Re: CAN 1 of 2025

1. An application has been filed for substitution of the legal heirs of respondent no. 36 who has passed away on 30.12.2024. Copy of death certificate has been enclosed with the CAN application. The legal heir to be substituted, namely the wife of respondent no. 36 has been described with details in paragraph 6 of the CAN application.
2. Let the wife of deceased respondent no. 36 as per description in paragraph 6 of the CAN application be substituted in place of respondent no. 36.
3. Application being CAN 1 of 2025 is thus disposed of.

In Re: W.P.C.T. 80 of 2025

1. The respondents herein who were applicants before the Central Administrative Tribunal, Kolkata Bench (hereinafter referred to as 'the C.A.T.') had approached the C.A.T. seeking the benefits of the 5th Pay Revision Committee's recommendations with effect from 01.01.1996. The applicants were aggrieved since the benefits had been extended to them from the year 2004. The C.A.T. has allowed their claim which has brought the Union of India before this Court assailing the order dated 05.02.2024 passed by the C.A.T. in O.A. No. 148 of 2024 and M.A. No. 134 of 2024.

2. When the matter was called on today at the very outset the petitioner's learned counsel has fairly submitted that the identical issue whether Inspectors in the Central Excise & Customs Department would be entitled to benefits of 5th Pay Revision Committee with effect from 01.01.1996 was decided by the Telangana High Court in **Writ Petition No. 10490 of 2024** in the case of **R. Siva Shankara Sastry & Ors. Vs. the Union of India & Ors.** The order of the Telangana High Court dated 09.08.2024 passed in the writ proceeding was assailed by the Union of India before the Apex Court. The **S.L.P. (Civil) No. 59005 of 2024** has been dismissed on 28.02.2025 by the Apex Court.

3. As per the learned counsel for the petitioner since the issue regarding entitlement of the petitioners to grant of benefits of 5th Pay Revision Committee with effect from 01.01.1996 stands settled in the above noted proceedings, nothing remains to be considered in the present proceedings.

4. The learned counsel for the private respondents is present. He also submits that since the issue is now decided, the authorities are obliged to extend the benefits and consequences thereof to the private respondents.

5. In view of the submissions and the facts taken note of above, we find that the present writ proceedings has become infructuous as the petitioner's entitlement has already been affirmed by the Apex Court as per the proceedings taken note of above.

6. The Writ Petition is accordingly disposed of.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)