

12th June, 2025
(D/L No.03)
Ct. No.4
(SKB)

W.P.C.T.92 of 2025

Union of India and others
Versus
Swapan Kumar Mondal and others

Mr. Udayan Chakrabarty, Sr. Adv.,
Mr. Subrata Santra
... for the petitioners.

Mr. S. K. Datta,
Mr. Barun Chatterjee
... for the respondents.

1. The issue arises for consideration in the present proceedings whether the applicants before the Central Administrative Tribunal (in short 'Tribunal') were entitled to financial up gradation under the Time Bound One Promotion (TBOP) Scheme and Biennial Cadre Review (BCR) Scheme from a date on which one Arunesh Chandra Ghosh was granted the same.
2. It was the case of the applicants before the Tribunal that Arunesh Chandra Ghosh was junior to them and, therefore, they were entitled to stepping up of their pay at par with the said Arunesh Chandra Ghosh.
3. The Tribunal has allowed the claim by recording that it is not disputed that the applicants were senior to Arunesh Chandra Ghosh.
4. The learned counsel for the petitioners submits that from bare perusal of the averments made in paragraphs 6 and 12 to the reply filed before the Tribunal, it is apparent that the petitioners have raised a dispute in this regard by saying that

Arunesh Chandra Ghosh was granted the benefit of Time Bound One Promotion (TBOP) Scheme and Biennial Cadre Review (BCR) Scheme by taking into consideration his past service rendered in another organization being the Department of Rehabilitation, before joining to the Postal Department, Howrah Division. There is no basis for the Tribunal to record that “it is not disputed”.

5. The sum and substance of the submission is that the order suffers from error apparent from the face of the record, which fact is disputed and denied by the learned counsel representing the respondents.
6. In view of the nature of submissions advanced by the petitioners regarding there being an error of record, we dispose of the writ petition with liberty to the writ petitioners to seek review of the decision of the Central Administrative Tribunal. We make it clear that we have not expressed any opinion on the merits of the submissions.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)