

W.P.C.T. 105 of 2025

Union of India & Ors.

Vs.

Amitava Ghosh

Mr. Ranjan Kumar Sinha,
Ms. Sabnam Laskar

...for the Union of India

Mr. K. K. Maiti,
Mr. A.P. Dev,
Ms. J. Saha

...for the respondent

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. The petitioner was the respondent before the Central Administrative Tribunal, Kolkata Bench (hereinafter referred to as the 'C.A.T.') in O.A. No. 1647 of 2023 filed by the applicant, who is the respondent herein.
3. The petitioner approached the C.A.T. with a grievance that subsequent to his retirement on attaining the age of superannuation on 31.03.2023, the authorities have alleged some payment made to the petitioner in excess of his entitlement on account of wrong fixation of pay. They have directed consequent recovery from the petitioner of an amount of Rs.4,78,711.
4. The recovery post-retirement has been set aside by the C.A.T. and a direction has been issued to restore the pay pension of the applicant which he

was getting prior to issuance of the impugned order. Consequential direction has been given for refund of the amounts recovered from the petitioner. The petitioner has also been found entitled to pension accordingly. The Union of India has filed the present writ petition assailing the order dated 20.12.2024 passed by the C.A.T. in O.A. No. 1647 of 2023.

5. When the matter is taken up, a feeble argument is made regarding unjust enrichment by the applicants.
6. We fail to appreciate how such argument can be advanced when no submissions are advanced assailing the fixation based on which the petitioners have enjoyed the scale, leading to alleged excess payment.
7. Since no other point or ground has been urged to challenge the order dated 20.12.2024 passed by the Central Administrative Tribunal, Kolkata Bench in O.A. No. 1647 of 2023, we find no reason to interfere with the order.
8. The Writ Petition being **W.P.C.T. 105 of 2025** is dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)