

02.07.2025
(D/L-16)
Ct. No.4
(B.K.N.)

W.P.C.T. 129 of 2025

**The Principal Commissioner of CGST & CX, Kolkata
North CGST & CX Commissionerate
Vs.
Subhasis Biswas & Ors.**

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

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

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 benefits of the 5th Pay Revision Committee's recommendation 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 been assailed by the Union of India before this Court. The impugned order is dated 09.02.2024 passed in M.A. 167 of 2024 in connection with O.A. 192 of 2024.
2. When the matter was called on today at the very outset the petitioner's learned counsel has fairly submitted that the same issue as regards whether

Inspectors in the Central Excise and Customs Department would be entitled to benefits of the 5th Pay Revision Committee with effect from 01.01.1996 has been decided by the Telangana High Court in ***Writ Petition No. 10490 of 2024*** in the case of ***R. Siva Shankara Sastry and 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 Hon'ble Apex Court. The ***S.L.P (Civil) No. 59005 of 2024*** has been dismissed on 28.02.2025 by the Hon'ble Apex Court.

3. As per the learned counsel for the petitioner since the issue regarding entitlement of the petitioners to grant of benefits of the 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 also 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 petitioners' entitlement has already been affirmed by the Hon'ble Apex Court as per the proceedings taken note of above.

6. The writ petition is accordingly disposed of.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)