

21. 01.09.2025
(M/L) Court No.04.
(Pritam)

WP.CT 65 of 2019

Anil Kumar Basu & Ors.
-Vs.-
The Steel Authority of India & Ors.

Mr. Ashis Kumar Paul.

.....for the petitioners.

Mr. Narayan Chandra Bhattacharjee,
Mr. Laxmi Kanta Pal.

....for the respondents.

1. The petitioners approached the Central Administrative Tribunal, Calcutta Bench seeking the following relief;

“(a) Rescind, revoke the impugned system of paying the applicants CPF system of Pension and in lieu thereof introduce and pay them the GPF system of pension which is fully DA linked, etc.;

(b) An order be passed directing the applicants to refund the amount which they received at the time of retirement along with interest accrued thereon within specific time;

(c) An order be passed directing the concerned Authority to cancel CP pension and introduce GPF Pension in respect of the retired employees of the Petitioners.

(d) Leave may be granted under Rule 4(5)(a) of the Central Administrative Tribunal Procedure Rules, 1987 to the applicants to join together to file a single application as all of them are having the same cause and the nature of relief prayed for and that they have a common interest in the matter;

(e) To pass such other order or orders, direction and directions as to Your Lordship may seem fit and proper.”

2. The matter which the petitioner agitated is the essentially a matter of policy, whether to introduce

the GPF-cum-Pension Scheme or to continue with the Contributory Pension Fund Scheme.

3. Under such circumstances, the Tribunal has disposed of the O.A. in the following terms;

“Hence, the prayer of the applicants, not being substantiated by any policy decision, bye-laws or regulations of the respondent authorities and also not having established any substantive discrimination amongst the employees of respondents No.1 itself, the O.A., being devoid of merit, does not merit consideration given the past and present decisions of Respondent No.1.

If, however, the respondent No.1, namely, the Steel Authority of India Limited, decides to introduce GPF-cum-Pension Scheme for its employees at any point of time, the competent authority in respondent No.1, shall, consider the claim of the applicants in this O.A. in the light of the Scheme for enabling them to switch over to the GPF-cum-Pension Scheme. The fact that the applicants have separated from respondent No.1 should not come in the way for considering their claims on which the applicants have been agitating since 2011, if they are otherwise eligible in terms of the Scheme.

The O.A. is, therefore, disposed of with the above directions. There will be no orders on costs.”

4. The learned advocate representing the applicants/writ petitioners submits that the direction of the Tribunal be circumscribed by a time-limit for consideration.
5. The learned advocate for the respondents, on the other hand, submits that there is no scope for any order being passed circumscribing the consideration within a time-limit, as till date, there is no GPF-cum-Pension Scheme, under which petitioners could be considered. The Tribunal’s order, therefore, requires no interference.

6. Considering the rival submissions, we are in agreement with the submissions advanced on behalf of the respondents.
7. Having regard to the nature of relief prayed for, as noted above and there being no GPF Pension Scheme in the respondent organization at present, there is no scope for the petitioners to claim consideration of their benefits under GPF Pension Scheme; at alone consideration within a time limit. Therefore, we find no reason to interfere with the order passed by the Tribunal in MA 393 of 2018 on May 3, 2019.
8. There is no occasion for this court to invoke its extraordinary discretionary jurisdiction under Article 226 of the Constitution of India.
9. The writ petition being WP.CT 65 of 2019 is, accordingly, dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)