

November 3, 2025
Sl. No.12
Court No.1
s.biswas

WPCT 187 of 2024

Animesh Datta
vs.
The Union of India and others

Mr. Debasish Chattopadhyay
Mr. Tirthankar Basu
Mr. Suman Biswas

... for the petitioner

Mr. Dhiraj Kumar Trivedi, DSGI
Ms. Anamika Pandey

... for the Union of India

1. Mr. Debasish Chattopadhyay, learned counsel for the petitioner and Mr. Dhiraj Trivedi, learned Deputy Solicitor General of India for the Union of India are present.
2. This petition filed under Article 227 of the Constitution of India takes exception to an order of the Tribunal dated 24th April, 2024 passed in O.A. 615 of 2022. The Tribunal without expressing any opinion on merits, directed the respondent/department to consider and decide the pending representation of the applicant in accordance with Rules within a stipulated time.
3. Mr. Trivedi, learned Deputy Solicitor General of India appearing for the Union of India at the outset submits that along with the supplementary affidavit, the department has placed on record the decision dated 26.06.2024 whereby the order of Tribunal is complied with and petitioner's representation is rejected. The remedy available

to the petitioner is to assail the said order before the Tribunal.

4. Learned counsel for the petitioner submits that the petitioner is hands to mouth and in this backdrop this petition may be entertained.
5. We do not see any merits in such contention of the learned counsel for the petitioner. The impugned order was clear and confined to a direction to decide the representation. Once the representation is decided and speaking order dated 26.06.2024 is passed, the remedy lies before the Tribunal. In other words, the court of first instance is the Central Administrative Tribunal. The rejection order gives a fresh cause of action to the petitioner. The said order can be assailed before the appropriate forum. Nothing remains to be decided in this petition. The petition is dismissed by reserving liberty to the petitioner to avail the remedy against the rejection order and for other grievance.

(Sujoy Paul, A.C.J.)

(Partha Sarathi Sen, J.)