

December 08, 2025
Sl. No.33
Court No.1
P.A. Chamber

WP.CT 178 of 2025

Goutam Roy & Anr.
vs.
Union of India & Ors.

Mr. Sardar Amjad Ali, Sr. Adv.
Mr. Puranjan Pal, Adv.
Mr. Samir Kumar Ghosh, Adv.

... for the Petitioners

Mr. Subhankar Chakraborty, Adv.
Mr. Suryaneel Das, Adv.
Mr. Sayani Gupta, Adv.

... for the Respondents

Per, Sujoy Paul, A.C.J.

1. This writ petition filed under Article 226/227 of the Constitution assails the Order dated 17th June, 2025 passed by the Central Administrative Tribunal (Tribunal) whereby OA No.350/00970 of 2017 was dismissed. In the said way following relief was claimed:

“a) Leave may kindly be given to move this application jointly in common cause of action under Section 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1985;

b) Direction upon the respondents to forthwith take appropriate steps to pay salaries and emoluments to the applicants at par with the Juniors promoted in violation to the extant provisions of Equal Pay for Equal Work and Railway Services (Revision of pay) Rules 2008. Pay all salaries and benefits from the actual date of promotion as Senior Technicians.

c) Interim order and/or further order as the Hon'ble Tribunal may deem fit and proper."

2. Shri Sardar Amjad Ali, Ld. Senior Counsel while arguing the matter on admission urged that the juniors to the present petitioners' were working in a different stream and having different career progression under the said stream, entered the petitioners' stream and became senior to the petitioners. This was wholly impermissible. The petitioners were getting lesser pay than their aforesaid juniors and therefore they prayed for stepping up of pay which should have been granted by the Tribunal. During the course of hearing, learned Senior Counsel fairly submitted that juniors Shri Sambbhu Nath Bhattacharya, Shri Ashim Kumar and Shri Bijoy Kumar Sanyal were illegally promoted in the reserved quota to which petitioners were seniors. The action of department in promoting the seniors to the detriment of petitioners was bad in law. The tribunal has committed an error in not granting the benefit of stepping up of pay.
3. Learned Counsel for the Department supported the order.
4. We have heard the parties at length. We are afraid that whether the so-called juniors of petitioners rightly gained promotion in petitioners' stream cannot be gone in this round of litigation. The

alleged juniors got the benefit of promotion pursuant to the order of Calcutta High Court in WP.CT 697 of 2007. This is no more open for us in this matter to decide whether their induction and promotion in petitioners' stream was lawful or not. In the relief claimed before the Tribunal, the petitioners did not challenge juniors', promotion, seniority or induction. In this view of the matter, it cannot be said that the said alleged juniors got benefit of pay, over and above the petitioners in an illegal manner. Thus, the petitioners (as mentioned in Paragraph 5 of the Order of Tribunal) are juniors to the said persons who got the benefit pursuant to the Order of the High Court. Thus, the petitioners had valid no claim of stepping up of pay *qua* the said persons. The Tribunal has taken a view in accordance with law. It does not warrant interference by this court. The admission is declined. The petition is **dismissed**.

(Sujoy Paul, A.C.J.)

(Partha Sarathi Sen, J.)