

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Before:

The Hon'ble Justice Hiranmay Bhattacharyya

**RVW 20 of 2025
CAN 1 of 2025
In
WPA 19214 of 2022
Sridip Kumar Bera
Versus
Union of India & Ors.**

For the petitioner : Mr. Soumya Majumdar, Sr. Advocate
Mr. Prantik Garai
Mr. Soujanya Bandyopadhyay
Ms. Antara Biswas advocates

For the respondent nos. 1 & 2 : Mr. Ajit Kr. Choubey
Mr. Tapan Bhanja
..... advocates

For the respondent no.3 : Mr. Kumarjit Das
Ms. Mou Saha..... advocates

Reserved on : 08.05.2026

Judgment on : 21.05.2026

Hiranmay Bhattacharyya, J.:-

1. This Memorandum of Review has been presented by the writ petitioner seeking review of the Judgment and Order dated 23.12.2024 passed in WPA 19214 of 2024.
2. By the judgment under review, the writ petition was disposed of by passing certain directions.

3. The only ground taken in the Memorandum of Review is that after the delivery of judgment and order dated 23.12.2024, the review applicant got a copy of an application under the provisions of the Right to Information Act, 2005 seeking certain informations and reply thereto, which were not within his possession before delivery of such judgment.
4. Mr. Majumdar, learned Senior Advocate for the Review Applicant draws the attention of the Court to the letter dated 09.08.2021 seeking information and/or documents in connection with the queries made therein and the reply furnished thereto in support of his contention that the Central Government had already approved the 6th Pay Commission recommendation.
5. Mr. Choubey, learned advocate for the respondent nos. 1 and 2 filed a report dated 4th May, 2026.
6. Heard the learned advocates for the parties and perused the materials placed.
7. This Court after noting the submission of Mr. Majumdar in paragraph 23 of the Judgment under Review that the implementation of the 6th CPC was approved by the Government, recorded a finding that till January 2017 the Ministry of Finance did not accord necessary approval to 6th CPC pay scale for the employees of IACS. This Court in the Judgment under Review held thus-

***“24.** It is evident from the materials on record that the Acting Registrar by a letter dated August 30, 2016 sought for necessary approval of the Ministry of Finance for the 6th CPC pay scales. The said letter further records that on getting approval, incorporation of 6th CPC pay scales in the extant Bye Laws will be made. The Acting Registrar issued a reminder letter dated January 17, 2017 seeking necessary approval of the Ministry of Finance. Thus, it is evident that till January, 2017 Ministry of Finance did not accord necessary approval to 6th CPC pay scale for the employees of IACS.*

***25.** No material has been produced before this Court to show that necessary approval of the Ministry of Finance for the 6th CPC pay scales has been obtained.*

26. *Petitioner was appointed after IACS decided to implement the pay scale of 6th CPC.*

27. *The extension of the benefits of pay scale of 6th CPC by IACS to its employees including the petitioner was subject to the approval of the Ministry of Finance. No material has been produced before this Court to show that the 6th pay scale has been incorporated in the extant Bye Laws of IACS. To the mind of this Court, extension of the benefits of 6th CPC pay scale cannot be said to be a condition of service. This Court, therefore, holds the petitioner do not have a vested right to the 6th CPC pay scale.”*

8. From the information supplied by the competent authority under the provisions of the RTI Act, 2005 vide letter dated October 5, 2021, it does not appear to this Court that the Ministry of Finance accorded necessary approval. Except the application under the RTI Act, 2005 and the reply thereto, no material has been produced before this Court. That apart, the review applicant also could not demonstrate that the 6th CPC Pay Scale has been incorporated in the extant Byelaws of IACS.
9. It is well settled that Review is not an appeal in disguise. This Court does not find any error apparent on the face of the record in the Judgment under review.
10. Accordingly, the Review petition and the connected application stands dismissed. There shall be, however, no order as to costs.
11. Urgent photostat certified copies, if applied for, be supplied to the parties upon compliance of all formalities.

(HIRANMAY BHATTACHARYYA, J.)