

Ct.No.1 D/L 14.01.2026
68
Saikat
Mukherjee

WP.CT/72/2019
BISWARUP OJHA
VS.
UNION OF INDIA & ORS.

Mr. Pinaki Dhole, Adv.
Mr. Rabindra Kr. Pathak, Adv.
Ms. Srijita Noe, Adv.

...For the Petitioners

Mr. Nilanjan Adhikari, Adv. (Brief Holder of Mr.
Sourav Mondal, Adv.)
Mr. Sourav Mondal, Adv.
Mr. Nitin Sharma, Adv.

...For the Department/
Chittaranjan Locomotive Works

Per, Sujoy Paul, ACJ.:

1. Parties are represented through their respective learned counsel.
2. The hearing commenced with the consent.
3. At the outset, learned counsel for the department submits that the department during the pendency of this case has granted similar benefit to similarly situated employees and, therefore, department is ready and willing to grant the benefits claimed by him before the Tribunal to the petitioner from the date he claimed it. In other words, it is submitted that department is ready to grant the entire relief claimed by the present petitioner before the Tribunal.

- 4.** Naturally, learned counsel for the petitioner has no objection.
- 5.** In view of the said stand of the learned counsel for the department, the impugned order of Tribunal dated 16th August, 2018, passed in O.A. No.1683 of 2016 is set aside.
- 6.** The O.A. No.1683/2016 is allowed.
- 7.** The department shall provide the benefit of MACP scheme to the petitioner from the date they claimed before the Tribunal. If any recovery is made, same shall be returned to the petitioner.
- 8.** Entire exercise of providing relief claimed before the Tribunal be completed within 60 days from the date of communication of the order.
- 9.** Writ petition is, accordingly, allowed and disposed of.
- 10.** Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.

(SUJOY PAUL, ACJ.)

(PARTHA SARATHI SEN, J.)