

12.08.2024
rpan/86-7

WPCT 88 of 2017
Biswa Bhusan Nandi
– *Versus* –
Union of India & Others
with
WPCT 177 of 2017
+
IA No.: CAN 1 of 2023
Union of India & Others
– *Versus* –
Sri Biswa Bhusan Nandi

Mrs. Soma Panda,
Mr. Debashis Sinha,
Mr. Chiradeep Sinha,
Ms. Sharmistha Dhar,
Ms. Sonali Gupta Sa
... for the Petitioner in WPCT 88 of 2017
&
Respondent in WPCT 177 of 2017.

Mr. Amit Halder

... for the Respondents/UoI in WPCT 88 of 2017
&
Petitioners/ UoI in WPCT 177 of 2017.

Challenging the order dated 16th November, 2016 passed by the learned Tribunal in OA 590 of 2014, the Union of India and its functionaries have preferred the writ petition, being WPCT 177 of 2017 and the original applicant has preferred a writ petition, being WPCT 88 of 2017. The supplementary affidavit filed by the petitioner in WPCT 88 of 2017 be kept on record.

Mr. Sinha, learned advocate appearing for the writ petitioner in WPCT 88 of 2017 submits that the parties have exchanged their affidavits in the writ petition, being WPCT 88 of 2017 and that in terms of

the earlier order passed by this Court dated 19th July, 2014 copies of all necessary documents have been handed over to the learned advocate of the writ petitioners in WPCT 177 of 2017.

Drawing our attention to the order dated 29th August, 2008 passed by the Hon'ble Supreme Court in Civil Appeal no.5304 of 2008, Mr. Sinha submits that the notional benefits and fixation of seniority have not yet been effected by the authorities and as a consequence thereof, the original applicant has not yet been disbursed his pensionary benefits. He has also not been granted the benefits of the Old Pension Scheme.

Mr. Amit Halder, learned advocate prays for an accommodation today on behalf of Mr. Anirban Mitra, learned advocate, engaged on behalf of the Union of India and its functionaries.

As the petitioner has already retired in the year 2018 and the matter is pending since the year 2017, a last opportunity is granted to the Union of India and its functionaries to appear and contest.

Accordingly, list the matters for further hearing on 9th September, 2024 as fixed at 2:00 p.m.

(Partha Sarathi Chatterjee, J.)(Tapabrata Chakraborty, J.)

