

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
[CIRCUIT BENCH AT PORT BLAIR]

PRESENT: THE HON'BLE JUSTICE SABYASACHI BHATTACHARYYA
AND
THE HON'BLE JUSTICE SMITA DAS DE

WP.CT/54/2025

DR. SABEELA BANU CHENBEN

VS.

UNION OF INDIA AND OTHERS

For the petitioner : Mr. Gopala Binnu Kumar, Adv.
For the respondent No. 1 & 2 : Mr. V. D.Sivabalan , Adv.
For the respondent nos.3 to 6 : Mr. Rakesh Kumar, Adv

WITH

WP.CT/6/2026
IA NO.CAN/1/2026

DR. KAUSER PERVEEN

VS.

UNION OF INDIA AND OTHERS

WITH

WP.CT/7/2026

DR (MRS) RAJNI DEVI (TEWARI)

VS.

UNION OF INDIA AND OTHERS

For the petitioner : Mr. Rajinder Singh, Adv.
For the respondent 1 & 2 : Mr. V. D. Sivabalan , Adv.
For the respondent nos.3 to 7 : Mr. Rakesh Kumar, Adv
Heard on : April 17, 2026 & April 20, 2026
Judgment on : April 27, 2026

SABYASACHI BHATTACHARYYA, J.

1. In view of the identity of the issues involved, all the three writ petitions are taken up for hearing together.
2. The petitioners were appointed as Junior Medical Officers on ad hoc basis in terms of the Recruitment Rules dated October 18, 1985.
3. Subsequently, the petitioners applied for regularisation of service. However, during pendency of the same, an advertisement was published in Employment News on July, 28 - August 03, 2001, inviting applications for filling up 24 posts of Medical Officers in the Andaman and Nicobar Health Services Cadre, Andaman and Nicobar Administration.
4. Being thus aggrieved, the petitioners, along with 12 other similarly placed persons, preferred an Original Application before the Central Administrative Tribunal, Kolkata Bench, Kolkata (Circuit sitting at Port Blair) seeking regularisation of their services in the post of the Medical Officer in the Andaman and Nicobar Islands (Health Services) as well as consequential reliefs.

5. The Tribunal, vide judgment dated August 23, 2004, disposed of the said application with a direction on the respondent-authorities to take steps in terms of paragraph nos. 16 and 17 of the said judgment, with a further direction that those of the applicants who would be declared successful shall be regularised and inducted into service. Thereafter, the process of selection already initiated in terms of the impugned advertisement was directed to be completed in respect of the left-out or subsequent vacancies. Till the applicants were considered or vacancies were filled up by regular appointees, the unsuccessful applicants were allowed to continue in their then present capacity.

6. Pursuant to the said direction, the Andaman and Nicobar Administration sent recommendations to the Union Public Service Commission (UPSC), initially incorporating vacancies arising subsequently. However, those were not accepted, being contrary to the direction of the Tribunal to the effect that the applicants' cases were to be considered in accordance with the provision of the earlier Recruitment Rules of 1984 against vacancies available on the date of commencement of the 1997 Rules.

7. Thereafter, in the year 2013, the Andaman and Nicobar Administration notified that there were 16 vacancies in total, out of which 4 were reserved for Schedule Tribe candidates and the rest 12 were available for General category candidates. It may be noted here that all the present three petitioners belong to the General category.

8. Since only 12 vacancies were available in the General category as against 15 petitioners in the earlier Original Application, the UPSC held personal interaction with each of them and published a merit list, recommending the first 12 out of the same, in order of merit, to be regularised in terms of the Tribunal's order.

9. The three left-out candidates are the present petitioners.

10. Subsequently, in terms of the 1997 Recruitment Rules, advertisements were published, pursuant to which all the three petitioners participated in the ensuing selection process and were appointed as Medical Officers in the year 2016.

11. Thereafter, the petitioners filed separate Original Applications seeking regularisation of their services from the date of their appointment on ad hoc basis.

12. The petitioner in WP.CT/6/2026, namely Dr. Kauser Perveen, sought in addition the regularisation of her leave for the period when she was absent, between November 16, 2008 and October 31, 2011. The Tribunal dismissed her Original Application *inter alia* on the ground of Rule 10 of the CAT Procedure Rules debarring duality of reliefs in one application. However, her application was also dismissed on the further ground that the issue of regularisation was barred by the principle of *res judicata*, having already been determined in the earlier round of litigation before the Tribunal.

13. Insofar as the petitioner in WP.CT/54/2025, namely, Dr. Sabeela Banu Chenben, and the petitioner in WP.CT/7/2026, namely, Dr (Mrs) Rajni Devi (Tewari) are concerned, their applications for regularisation were dismissed by the learned Tribunal by a common judgment, primarily on the ground of *res judicata*, as well as turning down the additional challenge to the vacancies position as on June 11, 1997, assessed by the Andaman and Nicobar Administration in its letter to the UPSC dated February 18, 2013, as barred by limitation.

14. Being thus aggrieved, the present three writ applications have been preferred.

15. Learned counsel appearing for the petitioners in WP.CT/54/2025 and WP.CT/6/2026 argues that the ad hoc appointments of the petitioners were extended from time to time. Thus, they are entitled to regularisation in the post.

16. It is further contended that the limited role of the UPSC is to approve the recommendation of the DPC relating to confirmation, which is of an advisory nature; but the UPSC exercised powers not conferred on it by publishing a merit list and selecting candidates on the basis of the same, instead of just confirming the first 12 out of the 15 candidates in the order of their seniority.

17. In support of the contention that the recommendations of the UPSC are merely directory and not binding, learned counsel cites a Full

Bench judgment of the Hon'ble Supreme Court in *Jatinder Kumar and Others vs. State of Punjab and Others* reported at (1985) 1 SCC 122.

18. Learned counsel appearing for Dr. Kauser Perveen additionally argues that in view of the 17 years' continuous service rendered by her in ad hoc capacity, treating her absence during the period from November 16, 2008 to October 31, 2011 as unauthorized absence effectively deprives her of pensionary benefits, which is arbitrary and grossly disproportionate, as it takes away accrued rights arising from long service.

19. It is further argued that the incorrect assessment of vacancies as on June 11, 1997 by the Andaman and Nicobar Administration constitutes a distinct and continuing illegality, vitiating the entire process. It is argued that the challenge to the same is not barred by limitation, since the communication between the UPSC and A & N Administration was not supposed to be in the knowledge of the petitioner and the right to challenge the same accrued only upon coming to know of such vacancy position when it was disclosed to the petitioner. Mere participation in a process, it is argued, does not operate as estoppel against challenging the foundational illegality, for which proposition the petitioner cites *Dr. (Major) Meeta Sahai vs. State of Bihar and Others (Civil Appeal No. 9482 of 2019)*.

20. Per contra, learned counsel for the UPSC contends that the law of constructive *res judicata* applies to service matters. In any event, since

the issue of regularisation was directly and substantially in issue in the earlier round of litigation and stood finally decided by the Tribunal in the year 2004, which was affirmed by the Hon'ble Supreme Court in the year 2012, the same issue cannot be reagitated in the present round of litigation.

21. It is argued that the action taken by the authorities were fully in terms of the Tribunal's earlier direction and as such, cannot be faulted.

22. Moreover, since the petitioners participated in a subsequent recruitment process under the 1997 Recruitment Rules, they cannot now turn around and seek regularisation from the date of their earlier ad hoc appointment.

23. In respect of the vacancy assessment made in the year 2013, learned counsel for UPSC submits that the petitioners did not challenge it within time, and the Tribunal rightly rejected the same as barred by limitation.

24. Learned counsel appearing for the respondent nos. 3 to 6- authorities argues that the A & N Administration strictly complied with the order of the Tribunal passed in the year 2004. The Administration took up the matter with the UPSC to consider the case of the three left-out Medical Officers, being the present petitioners, and requested their regularization in the subsequent vacancies created by the Administration with effect from February 16, 1999. Pursuant to the letter of the Administration, the UPSC decided to complete the recruitment process

initiated in 2001 by filling up the remaining vacancies from eligible applicants out of the petitioners, who had expressed their willingness during the year 2006 and participated in the fresh recruitment process. After having so participated, the petitioners cannot resile and now challenge the same. That apart, learned counsel submits that the learned Tribunal proceeded on a correct premise of law in dismissing the applications on the grounds of limitation and *res judicata*.

25. Although, during arguments, learned counsel appearing for *Dr. (Mrs.) Rajini Devi* relied on a judgment of the Hon'ble Supreme Court in the matter of *Direct Recruit Class II Engineering Officer' Association vs. State of Maharashtra and others*, the same was not strictly relied on in the notes of arguments.

26. Upon hearing learned counsel for the parties, it becomes evident the judgment passed by the Tribunal in the earlier round of litigation acquires prime importance.

27. The said judgment dated August 23, 2004, passed in the Original Application of the petitioners and 12 others, was challenged before of Division Bench of this Court, upon which the Division Bench set aside the same, prompting the applicants to prefer a challenge before the Hon'ble Supreme Court.

28. Vide order dated October 31, 2012, the Hon'ble Supreme Court disposed of the matter with the observation that the Union of India had taken the stand that they were willing to give effect to the order dated

August 23, 2004 passed by the Tribunal. In such circumstances, the appeals were disposed of by setting aside the order of the Division Bench of this Court, make it clear that the question of law raised by learned counsel for the UPSC was kept open to be decided in an appropriate case.

29. Thus, in the final analysis, the judgment passed by the learned Tribunal in the earlier round of litigation attained finality.

30. The reliefs claimed by the applicants therein, including the present petitioners, are recorded in paragraph no. 2.7 of the said judgment, whereas the crux of the operative directions issued by the Tribunal while disposing of the application is recorded in paragraph nos. 16, 17 and 18 thereof. The said paragraphs are quoted hereinbelow:-

"2.7 In the aforesaid background, the applicants have prayed for the following reliefs-

(b) An order directing the respondent authorities to regularise the services of your applicants in the post of Medical Officers the Andaman and Nicobar Island (Health Services)

(c) An order declaring that the applicants save and except, the applicant No.8 by virtue of their stipulation in the Bond executed by them and in view of the continuous appointment in their respective post for 11 to 5 years may be deemed to have been regularized/confirmed in their respective posts of Medical Officers :

(d) An order declaring the applicant No.8 deemed to have been regularised/confirmed in the post of Medical Officer consideration of her continuous service for more than 10 years:

(e) An order directing the respondent. No.3 the Union Public Service Commission to make selection/ recruitment to the post of Medical Officers by way of an alternative method of selection as envisaged in the Recruitment Rule of 1997, if at all required,

(f) An order, do issue directing the respondent authorities particularly, the respondent No.3 to restrict the selection only among the applicants herein and not to entertain any applicants in the post of Medical Officers from outside the Islands."

... ..

16. In the conspectus of facts and circumstances, we are of the considered opinion that since the present applicants have been appointed prior to the promulgation of 1997 rules their cases should be considered in accordance with the provision of the earlier recruitment rules of 1984 against vacancies available on the, date of commencement of the 1997 Rules.

17. We are, however, not aware of the vacancy position in June 1997. From the records we find that 27 ad hoc doctors were regularised in 1990 and 9 others in 1995. As per 1997 Rules these regularised doctors were inducted in the service in terms of Rule 6. Apart from that there is also provision for induction in terms of Rule 4, so also the provision for temporary addition or alteration to cadre strength. Therefore, the authorities have to assess the vacancy position first on the date of commencement of 1997 Rules and then to consider the case of the applicants and other similarly situated doctors as suggested above. The left out vacancies or vacancies occurring subsequently have to be filled out of 1997 Rules from amongst the candidates who have already applied in terms impugned advertisement for which, if necessary, the vacancies notified may be modified.

18. In the result, we dispose of this application with a direction to the respondents to take steps as observed in paras 16 and 17 above. Those of the applicants who will be declared successful be regularized and inducted into service. Thereafter, the process of selection already initiated terms of the Advertisement should be completed in respect of left out or subsequent vacancies till the applicants are considered or vacancies are filled up by regular appointees, the unsuccessful applicants may be allowed to continue in their present capacity.”

31. It is clear from the said judgment that the principal relief sought by the applicants before the Tribunal was the regularization of their service. While disposing of Original Application No. 149/AN/2001, along with the connected application, the Tribunal made certain salient observations which are summarized below:

- (i) The respondent-authorities therein were to assess the vacancy position as on the date of commencement of the 1997 Rules (June 11, 1997);

- (ii) Thereafter, the respondent-authorities were to consider the case of the applicants and other similarly placed doctors in accordance with the 1984 Recruitment Rules against vacancies available on the date of commencement of the 1997 Rules;
- (iii) The left-out vacancies after completion of such process or the vacancies occurring subsequently had to be filled in terms of the 1997 Recruitment Rules from amongst the candidates who had already applied in terms of the impugned advertisement dated July 28-August 03, 2001, for which, if necessary, the notified vacancies might be modified;
- (iv) Those applicants who would be declared successful were to be regularized and inducted into service;
- (v) Till the applicants were considered or vacancies were filled up by regular appointees, the unsuccessful applicants might be allowed to continue in their then present capacity (ad hoc/contractual).

32. The Deputy Secretary (Health) of the Andaman and Nicobar Administration wrote to the Deputy Secretary of the UPSC on February 12, 2013 intimating that the total number of vacancies on the date of commencement of the Andaman and Nicobar Health Service Rules, 1997, which was notified on June 12, 1997, were 16, of which 4 were reserved for ST candidates. It was further mentioned in the said communication

that there were 18 candidates in the “instant case” of which 3 were no longer in the service of the Administration and the remaining 15 were of the General category. However, there were 3 ST Doctors who had been working in the A&N Health Department prior to June 12, 1997 on ad hoc basis. Implementing the order of the Tribunal, the 15 General category and 3 ST Doctors were all appointed prior to June 12, 1997, who had requested to be considered. Out of them, the 15 applicants in the earlier original application, including the present petitioners as well as 3 ST candidates, were mentioned.

33. It was further stated in the communication that the remaining 3 Medical Officers working in the Andaman and Nicobar Health Department for a long time may be appointed against 4 posts of Medical Officers created vide Administration order No. 497 dated February 16, 1999. The Administration further intimated that in view of the above and considering the long service extended by the ad hoc doctors in the Andaman and Nicobar Health Department where the regular doctors hesitates to work due to remoteness of the places, the UPSC may implement the Tribunal’s order by convening the selection process as per the A&N Health Service Rules, 1984 for 12 General candidates and 3 ST candidates as per the revised Andaman and Nicobar Health Service Rules, 1997 for the 3 General candidates.

34. Insofar as the request of the Administration to consider the additional 3 General candidates was concerned, the same was palpably

de hors the directions of the Tribunal dated August 23, 2004, since such request was based on the vacancy position *after* the commencement of the 1997 Recruitment Rules, whereas the Tribunal had fixed the cut-off date to the date of such commencement.

35. However, what can be elicited from the said communication of February, 2013 is that the pre- 1997 Rules vacancy position was 12 in the General category, whereas the total number of applicants was 15, In such a scenario, the UPSC held personal interactions with all the said candidates and, in a communication to the Chief Secretary, Andaman and Nicobar Administration dated November 13, 2014, intimated the latter that on the basis of the recommendation of the Selection Committee, the UPSC approved 12 officers in the order of merit for regularisation for the post of General Duty Medical Officers under the Andaman and Nicobar Administration in the Pay Scale of Rs. 15600-39100/- plus Grade Pay of Rs. 6400/- on regular basis with effect from November 11, 1997. In the merit list, the three current writ petitioners came last and were excluded from the zone of consideration for regularization.

36. The first issue which arises is whether the petitioners are entitled to raise the issue of regularisation afresh. As discussed earlier, the self-same prayer of regularization in their earlier service was categorically made and adjudicated upon conclusively by the Tribunal, which order stood upheld up to the Hon'ble Supreme Court. The Hon'ble Supreme

Court set aside the Division Bench order, thereby affirming the order of the Tribunal, albeit in view of the Union of India having conceded to the Tribunal's order. Yet, fact remains that the Tribunal's order dated October 23, 2004 attained finality.

37. As summarized above, in terms of the Tribunal's order, the case of the applicants therein (including the present petitioners) was to be "considered" along with similarly placed other doctors in accordance with the 1984 Recruitment Rules "against the vacancies available on the date of commencement of the 1997 Rules". Moreover, the Tribunal used the expression "those applicants who will be *declared successful*", be regularised and inducted into service. Again, it was observed that the *unsuccessful* applicants may be allowed to continue in their then present capacity (ad hoc/contractual) till the applicants were considered or vacancies were filled up by regular appointees.

38. The Administration fully complied with the said order by permitting the petitioners, after being unsuccessful, to continue in their ad hoc capacity. Thus, such continuation was not on an independent footing but in compliance with the order of the Tribunal. Hence, the arguments advanced by the petitioners by relying on judgments of the Hon'ble Supreme Court with regard to regularisation of their ad hoc service do not come into play at all, since their continuance in ad hoc service after August 23, 2004 was purely on the basis of the directions of the Tribunal, being a matter of compulsion for the Administration and

not an option. Continuation in ad hoc/contractual service in terms of directions of a Tribunal/Court of law cannot be equated with voluntary acceptance of such service by the employer, for the purpose of considering the same as ground for regularization.

39. Secondly, by using the expressions “case to be considered” and “declared successful” as well as “unsuccessful”, an element of discretion was conferred on the authorities to assess the competence of the petitioners and the other applicants in the earlier round of litigation. The petitioners vociferously argue that the UPSC went beyond its authority in assessing the merits of the applicants and approving the candidates on the basis of such merit list. However, the further directive of the Tribunal was that the case of the applicants was to be considered not only “in accordance with the 1984 Recruitment Rules” but *against vacancies available on the date of commencement of the 1997 Recruitment Rules (June 11, 1997)*. Hence, the Tribunal’s direction to regularise the applicants was circumscribed by the availability of vacancies as on the date of commencement of the 1997 Rules and was not an unbridled direction on the Administration to regularise all the applicants.

40. In such a scenario, the UPSC had to resort to some modality or the other in approving the recommendation of the Administration. The question of seniority does not arise, since at that juncture, none of the petitioners were regular employees but were only working on ad hoc basis. Even otherwise, the yardstick of seniority was not fixed by the

Tribunal and it was open to the UPSC to have a gradation to fit into the limited number of available vacancies the “successful” ones out of the 15 applicants, which was the very language used by the Tribunal.

41. Since the applicants were 15 in number (General category) whereas the vacancies for such category were only 12, the UPSC was completely justified in resorting to an assessment of the comparative merits of the candidates and selecting the first 12 for recommendation for the purpose of regularisation, in consonance with the direction of the Tribunal. Such exercise of the UPSC was not at all *de hors* the 1985 Recruitment Rules; rather, it was best and most transparent as well as rational method of complying with the direction of the Tribunal.

42. It is to be noted that the Recruitment Rules of 1985 do not fix any particular modality of approval by the Tribunal, nor does it specify the process by which the UPSC shall come to its decision for the purpose of such approval. Hence, it was open to the UPSC to formulate their own methodology, particularly faced with the predicament of complying with the Tribunal's directions by choosing 12 out of the 15 applicants, for the 12 vacant posts. Hence, the petitioners' argument of overaction/transgression of authority on the part of UPSC is not tenable in the eye of law as well as in the facts and circumstance of the case.

43. Even otherwise, the regularisation issue having been finally and conclusively decided by the Tribunal on August 23, 2004 and the

modalities thereof being specifically enumerated, the self-same issue cannot be reopened now by the petitioners.

44. Thus, the learned Tribunal, in the judgment impugned before us, was justified in dismissing the petitioners' claim of regularisation on the ground of *res judicata*.

45. Insofar as the challenge to the pre-1997 Rule vacancy position assessment by the Andaman and Nicobar Administration is concerned, the petitioners have harped on their purported ignorance of the communication between the UPSC and the Administration in the year 2013 and seek to revive a dead cause of action by citing recent developments.

46. However, it remains unexplained as to what prevented the petitioners, when they were called for personal interaction with the UPSC, in which process they participated, to challenge the basis of the vacancy assessment by the Administration at that juncture. Implicit in the interaction of the UPSC with the applicants was the fact that there were limited vacancies.

47. Even thereafter, when the UPSC communicated its recommendation of 12 out of the 15 applicants to the Administration and those successful candidates were regularised and inducted into service soon thereafter in terms of the Tribunal's directions, it is obvious that the present petitioner came to be aware about them having been excluded from the process of regularisation. It is quite obvious that as soon as

soon as the 12 other co-applicants of the petitioners were regularised in service but the 3 petitioners were left out, they must have understood that the number of vacancies as per the Administration was 12.

48. Thus, the learned Tribunal rightly came to the conclusion that the challenge to the vacancy position was hopelessly time-barred.

49. Another aspect of the matter which falls for consideration is whether the petitioners are barred by acquiescence and waiver from raising the question of regularisation at this juncture. Apart from the principle of issue estoppel being applicable, since no demur was raised to the order of the Tribunal, which attained finality up to the Hon'ble Supreme Court, each of the present petitioners participated in a subsequent recruitment process initiated under the 1997 Rules and got appointed pursuant to such process in the year 2016.

50. Regularisation of ad hoc service can only happen if there is continuance of service under the same Recruitment Rules and in the same cadre, without any break. The ad hoc service rendered by the petitioners was initially under the 1984 Recruitment Rules and thereafter by dint of the direction of the Tribunal dated August 23, 2004.

51. However, the 1997 Recruitment Rules introduced a completely new regime, under which the petitioners took full benefit by participating in a subsequent selection process and getting appointed in the year 2016. The concept of inter-recruitment regime regularisation is unheard of and unknown to law. The position might still have been different if the ad hoc

service was rendered under regime of the 1997 Recruitment Rules itself, in which case the ad hoc service, if otherwise continuous, might still have been considered for the purpose of regularisation.

52. However, since the ad hoc service was rendered initially under the 1984 Rules and thereafter by dint of the direction of the Tribunal, the benefits of the same cannot be claimed for the purpose of regularisation in respect of a disparate and different genre of appointment under the 1997 Rules. Hence, the stark distinguishing factor of the present case from the cited judgments is that no ad hoc service was rendered by the petitioners under the 1997 Rules.

53. Insofar as the proposition laid down by the Hon'ble Supreme Court to the effect that UPSC recommendations are directory, there cannot be any qualms on the said principle as a general proposition. However, in the facts of the present case, the UPSC recommendation had the authority of the 1984 Recruitment Rules as well as the direction passed by the Tribunal on August 23, 2004 behind it. Hence, the same cannot be brushed aside as merely recommendatory.

54. That apart, as discussed above, the modality adopted by the UPSC for granting approval to the recommendation of the Administration cannot be faulted by the petitioners, having accepted it by their conduct of continuing in ad hoc service, despite the other 12 original applicants being regularised, and thereafter joining service under the 1997 Rules. Also, in the absence of any specific modality of approval being stipulated

either in the 1984 Recruitment Rules or in the directions of Tribunal, the UPSC cannot be faulted for assessing the merits of the original applicants before approving the recommendations for the vacant posts on the basis of the pre-1997 Rules position.

55. Hence, after having taken advantage of the appointment under the 1997 Rules in the year 2016, the petitioners cannot now resile from such position and seek a continuance of service for the purpose of regularisation by citing ad hoc service under a previous Recruitment Rule regime.

56. It is also to be kept in mind that the judgment of the Tribunal dated August 23, 2004 pertained merely to the regularisation of the “successful” applicants, against the vacancies available on the “date of commencement of the 1997 Rules”, and cannot be expanded further to include within its purview the deemed fiction of regularisation under the 1997 Rules, within the ambit of which the petitioners are now in service.

57. The judgment dated August 23, 2004, in fact, specifically eschewed such possibility by categorically stipulating that the appointment, only to the successful applicants, would be given in terms of the 1984 Recruitment Rules against the vacancies available on the date of commencement of the 1997 Rules. It was further stipulated by the Tribunal, conspicuously, that the left-out vacancies or vacancies occurring subsequently would be filled “in terms of the 1997 Recruitment Rules from amongst candidates who had already applied in terms of the

2001 advertisement”, which was challenged before the Tribunal as well. For such purpose, the Tribunal also gave liberty to the Administration to modify the vacancies notification if necessary. The relief granted to the unsuccessful applicants by the Tribunal was merely to be allowed to continue in their capacity as ad hoc employees; thus far and no further.

58. Hence, there is no question of the petitioners’ plea of regularisation being considered afresh by reopening a done and dusted issue.

59. Although, in respect of WP.CT/6/2026 (Dr. Kauser Perveen vs. Union of India and others), the Tribunal cited the bar to multiple reliefs being sought in a single Original Application, it did not restrict its consideration to such technical bar alone but further proceeded to hold that the challenge was barred by *res judicata*.

60. In view of the above findings, this Court is of the opinion that the learned Tribunal was perfectly justified in passing the impugned order, dismissing the Original Applications of the present writ petitioners.

61. Accordingly, WP.CT/54/2025 and WP.CT/7/2026 are dismissed on contest, thereby affirming the impugned judgment dated September 18, 2025 passed by Central Administrative Tribunal, Kolkata Bench, Kolkata (Circuit setting at Port Blair) in OA/351/518/2017 and OA/351/1428/2017 respectively.

62. WP.CT/6/2026 is also dismissed on contest, thereby affirming the impugned judgment dated September 18, 2025 passed by the Central

Administrative Tribunal, Kolkata Bench, Kolkata (Circuit setting at Port Blair) in OA/351/00098/2016.

63. There will be no order as to costs.

64. Urgent Photostat certified copies of this judgment, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)

I agree

(Smita Das De, J.)