

ITEM NO.29

COURT NO.1

SECTION X

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Writ Petition(s)(Civil) No(s).268/2022

**CENTRAL ADMINISTRATIVE TRIBUNAL  
 (PRINCIPAL BENCH) BAR ASSOCIATION**

Petitioner(s)

**VERSUS**

**UNION OF INDIA & ORS.**

Respondent(s)

**(FOR ADMISSION and IA No.55977/2022-GRANT OF INTERIM RELIEF )**

**WITH**

**W.P.(C) No. 302/2022 (X)**

**(WITH IA No. 71502/2022 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES, IA No. 63177/2022 - STAY APPLICATION)**

**Date : 07-12-2022 These petitions were called on for hearing today.**

**CORAM :**

**HON'BLE THE CHIEF JUSTICE  
 HON'BLE MR. JUSTICE J.B. PARDIWALA**

**For Petitioner(s)** Mr. Abhaya K. Behera, Sr. Adv.  
 Ms. Amita Singh Kalkal, AOR  
 Ms. Aditi Gupta, Adv.  
 Mr. M. S. Saini, Adv.

Mr. Abhaya K. Behera, Sr. Adv.  
 Mr. Vijay k. Verma, AOR  
 Mr. Tarun Verma, Adv.

**For Respondent(s)** Mr. Siddhant Kohli, Adv.  
 Ms. Chinmayee Chandra, Adv.  
 Mr.Santosh Kumar, Adv.  
 Dr.Ram Sankar, Adv.  
 Mr. Rajat Nair, Adv.  
 Mr. Ankur Talwar, Adv.  
 Mr. Arvind Kumar Sharma, AOR  
 Mr. Mukesh Kumar Maroria, AOR

Mr. Joydip Bhattacharya, Adv.  
 Mr. Abid Ali Beeran P, AOR

**UPON hearing the counsel the Court made the following  
O R D E R**

- 1 An updated status report has been filed by the Union of India. The status report contains the following 'post-wise details' for the Central Administrative Tribunal<sup>1</sup>:

"SI No.	Sanctioned strength	Number of posts filled	Number of posts vacant(as on date)
1	70 (35 Judicial Members and 35 Administrative Members)	51* (26 Judicial Members and 25 Administrative Members)	19 (09 Judicial Members and 10 Administrative Members)

\*04 Administrative Members will assume the charge shortly. "

- 2 The above tabulation shows that out of the sanctioned strength of 70 Members of the CAT, 51 posts have been filled (consisting of 26 Judicial Members and 25 Administrative Members) and 4 Administrative Members are expected to resume charge shortly. Thus, there are 19 vacancies comprising of 9 Judicial Members and 10 Administrative Members. The process for the appointment of Members for the vacancies which arose in 2022 and which will arise in 2023 has been initiated with the request for the nomination of a Judge of this Court as Chairperson of the Selection Committee.
- 3 The following Members were due to retire during the period between 13 May 2022 (when the previous order was passed) and 7 December 2022:

"SI. No.	Name of the Hon'ble Member	Name of the Bench	Date of Retirement
1	Ms. Nandita Chatterjee, AM	Kolkata Bench	30.6.2022
2	Shri Ramesh Singh Thakur, JM	Jabalpur Bench	03.09.2022
3	Shri Suresh Kumar Monga, JM	Chandigarh Bench	03.09.2022

1 "CAT"

4	Ms. Manjula Das, JM	Guwahati Bench	13.09.2022
5	Ms. Bidisha Banerjee, JM	Kolkata Bench	14.09.2022
6.	Shri Dinesh Kumar Sharma	Jaipur Bench	02.11.2022”

- 4 Of the above persons, the tenure of the officer at SI No 3 and of the officer at SI No 6 has been extended up to 7 December 2022. The tenure of the officers at SI No 1 and SI No 5 were extended till further orders in pursuance of the order of this Court. The officer at SI No 2 has been appointed for one more term with effect from 4 September 2022.
- 5 In view of the 19 vacancies which still continue in the CAT, we direct that the tenure of those existing officers, as noted above, (except SI No 5) which have been continued, shall be extended further until the process of selection is completed and the selected candidates join. The Court has apprised of the fact that Ms Bidisha Banerjee, Judicial Member at the Calcutta Bench (SI No 5) has joined the National Company Law Tribunal with effect from 16 November 2022.
- 6 In the status report, it has been set out that Ms Manjula Das, Judicial Member at the Guwahati Bench was requested on 15 September 2022 to give her consent and availability for extension which was received on 26 September 2022. In the meanwhile, Ms Urmita Dutta was appointed as Judicial Member on 21 August 2022 at Guwahati and has assumed charge as Judicial Member on 22 November 2022. In the event that Ms Manjula Das, Judicial Member, is ready and willing to serve in any other Bench of CAT, the officer may accordingly be posted.
- 7 Dr Bhagwan Sahai, Administrative Member at Mumbai Branch is due to complete his tenure on 1 January 2023.
- 8 Subject to the willingness of the officer concerned, his tenure shall also be extended, pending further orders of this Court, until the selection process is completed and the selected officers join.

- 9 By the next date of listing, this Court shall be apprised of the further steps which have been taken to fill up the 19 vacancies comprising of 9 Judicial Members and 10 Administrative Members of CAT.
- 10 List the petitions on 7 February 2023.

**(SANJAY KUMAR-I)**  
**DEPUTY REGISTRAR**

**(SAROJ KUMARI GAUR)**  
**ASSISTANT REGISTRAR**