

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**



O.A/350/1480/2019

Date of Order: 02.03.2020



Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Sri Biplab Chowdhury
S/o Sri Bijoy Kumar Chowdhury
Aged about 43 years
Ex GDSBPM Karnamadhabpur B.O.
in account with Natagarh SO under
North Presidency Division,
North 24 Parganas – 700 113,
Now residing at 47/A, Agapur,
P.O. New Barrackpore
Kolkata – 700 131.

... Applicant.

Versus

1. Union of India,
Service through the Secretary,
Government of India,
Ministry of Communication &
Technology, Department of Posts,
Dak Bhawan, New Delhi – 110 001.
2. The Director General,
Department of Posts,
Dak Bhawan, New Delhi – 110 001.
3. The Chief Postmaster General
West Bengal Circle,
Yogayog Bhawan,
Kolkata - 700 012.
4. The Director of Postal Services
Kolkata Region, Yogayog Bhawan,
Kolkata – 700 012.
5. The Sr. Supdt. of Post Offices
North Presidency Division,
Barrackpore,
Kolkata – 700 120.

.....Respondents

For The Applicant(s): Mr. S.K.Datta, Counsel

For The Respondent(s): Ms. D.Nag, Counsel



ORDER (ORAL)

Bidisha Banerjee, Member (J):

Heard Ld. Counsels for both the parties.

2. This O.A. has been preferred by the applicant to seek the following reliefs:

"8.i) An order be passed for setting aside and quashing of the impugned and irregular order of the put off duty; and to reinstate the applicant to the post of GDS (Gramin Dak Sevak) with all admissible facilities.

ii) An order be passed for setting aside and quashing of the impugned & purported articles of charge & disciplinary proceedings framed & initiated against your applicant.

iii) An order be passed for setting aside and quashing of the impugned purported severe punishment order of "Dismissal" from the post of GDS BPM of your applicant.

iv) An order be passed for immediate payment of all due and admissible pay and allowances since from 01.09.2012 to put-to-date.

v) Any other order or orders, direction or directions as this Hon'ble Tribunal may deem fit and proper."

3. The case of the applicant, in nutshell, is that he was appointed as GDSBPM on 03.04.2001. Ld. Counsel for the applicant submits that due to severe illness, the applicant could not be able to attend office w.e.f. 06.09.2012 but, despite communication of the said fact, he was put under off duty vide Memo dated 12.09.2012. Subsequently, article of charges were framed against the applicant vide Memo dated 28.07.2015 (Annexure-A/5) on account of not depositing the cash collected for SB deposits in the Branch Office account on various dates. Inquiry was held. On culmination of inquiry, vide order dated 31.10.2018, punishment of "dismissal" from service has been imposed on the applicant. Ld.

Counsel for the applicant submits that the applicant preferred statutory appeal dated 07.12.2018 vide Annexure-A/15 but the same is pending for consideration.

4. At this juncture when the appeal of the applicant is stated to be pending for consideration, without entering into the merits of the matter, we would direct the appropriate authority to consider the appeal of the applicant, as at Annexure-A/15, and issue a reasoned and speaking order within a period of four weeks from the date of receipt of a copy of this order communicating the same to the applicant forthwith.

5. O.A. is disposed of accordingly. There shall be no order as to costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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