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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH, KOLKATA

O. A. No. 350/1799/2016

PARTICULARS OF THE APPLICANT:

Chakradhar Chakraborty, son of late Baidyanath Chakraborty, aged about 59 years, residing at Village and Post Office - Ikrah, Via Toposi, District - Burdwan, Pin 713362

..... APPLICANT

V E R S U S -

- i) The Union of India, through the Manager, Secretary Ministry of Communication, Department of Posts, Dak Bhawan, New Delhi 1
- ii) Chief Post Master Generral, Yogayog Bhawan, C R Avenue, Kolkata 700 012
- iii) Post Master General, Yogayog Bhawan, C R Avenue, Kolkata 700 012
- iv) Director of Postal Service, S. B. Region, C R Avenue, Kolkata 700 012
- v) Senior Superintendent of Post Offices, Assansol, Post Office and P.S. - Assansol, District - Burdwan . 713301

..... RESPONDENTS

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA**

O.A/350/1799/2016

Date of Order: 23.01.2020



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

Chakradhar Chakraborty.....Applicant

Vrs.

Union of India &amp; Ors.....Respondents

For The Applicant(s): Mr. A.Chakraborty, Counsel

For The Respondent(s): Mr. B.B.Chatterjee, Counsel

**ORDER (ORAL)**

Ms. Bidisha Banerjee, Member (J):

Heard Ld. Counsels for both the parties.

2. Applicant has preferred this O.A. to seek the following reliefs:

*"(I) Enquiry proceeding stated pursuant to Memorandum No. FD/Disc/C Chakraborty dated 03.04.2012 issued by Sr. Superintendent of Post Offices was vitiated as the enquiry officer followed Rule (20) of the CCS(CCA) Rules 1965.*

*(II) Ex-parte enquiry conducted by IO cannot be sustained in the eye of law and therefore the same may be quashed."*

3. At hearing, Ld. Counsel for the applicant alleges that the proceedings have not been conducted in a fair and just manner and also not in accordance with law and, that, the penalty order was issued after filing of this O.A.

Accordingly, he would seek liberty to prefer statutory appeal to the competent authority. Ld. Counsel would also seek condonation of delay in preferring such appeal. Prayer is allowed.

4. Having heard Ld. Counsel for the parties, applicant is granted liberty to prefer appeal before the Appellate Authority within four weeks from the date of receipt of copy of this order and, if such appeal is preferred, the same shall be considered in accordance with law and appropriate reasoned and speaking order to be issued by eight weeks thereafter.



Applicant shall be at liberty to take all the grounds as he would like to take in the appeal and the respondents shall consider the same since we have not entered into the merits of the matter.

5. The O.A., accordingly, stands disposed of. No costs.

(Nandita Chatterjee)  
Member (A)

(Bidisha Banerjee)  
Member (J)

RK