



BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE
TRIBUNAL, CALCUTTA BENCH

An Application Under Section 19 of the Administrative Tribunal Act, 1985

O. A. No 350/1075 of 2017;

BETWEEN

Moumita Mondal, Daughter of Late
Ratan Chandra Mondal, aged about 32
years, residing at C/o. Smt. Bani Das,
229, Pandopara Colony, 10 No. Gali
(Lane No.10), P.O. & District -
Jalpaiguri, PIN - 735101.

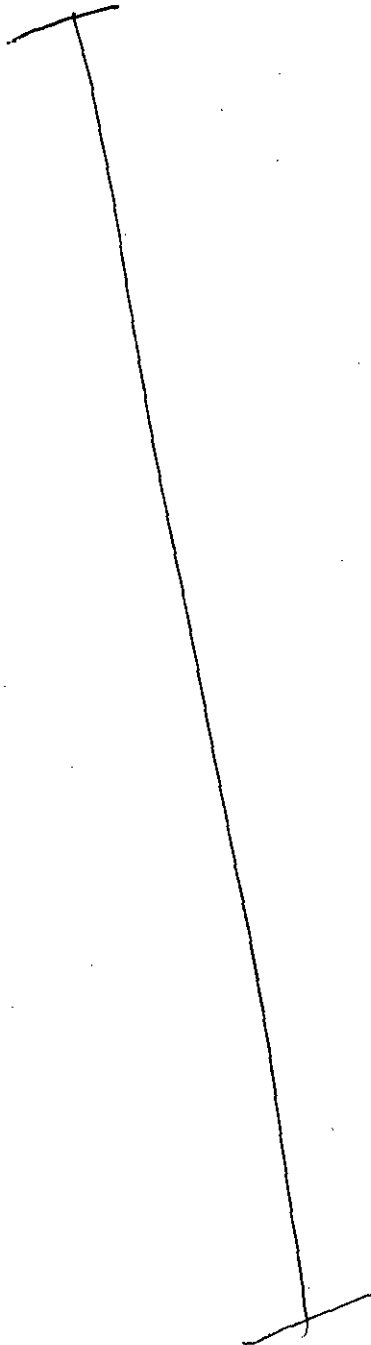
Applicant

- V E R S U S -

1. Chief Postmaster General, West Bengal Circle, Yogayog Bhawan, Kolkata - 700012.
2. Sr. Superintendent of Post Offices, Jalpaiguri Division, Jalpaiguri, PIN - 735101.
3. Postmaster General, North Bengal Region, Siliguri - 734001.

4. Assistant Director, Office of the
Postmaster General, North Bengal
Region, Siliguri- 734001;

..... Respondents



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A. 350/001075/ 2017

Order dated: 18.12.2019



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

Moumita Mondal Applicant.

Versus

Union of India & Ors. Respondents.

For the applicant : Priyabrata Saha, Proxy Counsel

For the respondents : Mr.K.Prasad, Counsel

ORDER (ORAL)

Bidisha Banerjee, Member (J):

Heard Ld. Counsel for both the parties.

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

"I. An order directing the respondents, their agents, subordinates and successors to cancel and/or set aside impugned communication dated 21.09.2016 issued by the respondent No.4 and forthwith grant compassionate appointment to the applicant under the died-in-harness category in any post commensurate with his educational qualification without any hindrance from any quarters.

II. An order directing the respondents, their agents, subordinates and successors to produce all records.....

III Costs.....

IV. Any other order....."

3. Brief facts of the case, as reveals from the record, are that the father of the applicant, viz. Ratan Chandra Mondal, while working as PA(CO) in the office of Postmaster General, North Bengal & Sikkim Region, Siliguri, expired on

31.01.2009 leaving behind his widow, viz. Anjana Mondal, and two unmarried daughters, viz. Moumita Mondal (applicant herein) and Rima Mondal. Applicant preferred representation on 01.06.2009 seeking employment on compassionate ground in relaxation of normal rules of recruitment. After a reminder dated 06.05.2010, vide letter dated 20.05.2010 (Annexure-A/4) she was asked to submit properly filled in form along with requisite documents. After submission of documents, her application was considered and, after many correspondences, the same was rejected vide letter dated 21.09.2016 (Annexure-A/15) as under:

संख्या: एस. एफ. बि./अनुकम्पा नियोग-18/2009
No.SFB/Relax Apptt-18/2009.

दिनांक सिलिगुड़ी 21-9-2016
Dated at Siliguri, the 21-9-2016.

विषय: स्वर्गीय रतन चंद्र मंडल के पुत्री कुमारी मौमिता मंडल की अनुकम्पा नियोग का मामला।

Subject: Compassionate Appointment of Miss Moumita Mandal D/O late Ratan Chandra Mandal Ex-PACO O/O The PMG Siliguri who expired on 31-01-2009.

Madam,

I have been directed by the competent authority to intimate you that the compassionate appointment case of Kumari Moumita Mandal, Daughter of Late Ratan Chandra Mandal, was placed before the Circle Relaxation Committee meeting held on 02-8-2016 in PA/SA cadre against the earmarked vacancies for the year 2015-16. But it could not be recommended by the Circle Relaxation Committee as she has earned 60 (Sixty) merit points, whereas the last recommended candidate has earned 68 merit points.

However, this case will be placed before the Circle Relaxation Committee Meeting in PA/SA cadre against the earmarked vacancies for the year 2016-17 for reconsideration, as and when it will be held.

Yours faithfully,

सहायक निदेशक / Assistant Director

पोस्टमास्टर जनरल का कार्यालय Office of the Postmaster General

उत्तर बंगाल क्षेत्र / North Bengal Region,

सिलिगुड़ी-734001 / Siliguri-734001.

4. Further vide order dated 18.01.2018, the applicant was intimated as under:

To
 Km. Moumita Mondal
 D/o Lt Ratan Ch. Mandal
 C/o Sri-Ajit Datta,
 132/15, Sukanta Sarani Bye Lane,
 New Milan Pally, Near P&T Colony
 Siliguri-734001

No. SF5/A-02/2011

Dated at Kolkata-12, the 18/01/2018

Subject: Employment in relation of normal rules of recruitment-Case of Km. Moumita Mondal, D/o Lt. Ratan Ch. Mandal, Ex-PACO, O/o The PMG, NB & Sikkim Region, died in harness on 31-01-2009

Madam,

I am directed to refer to above and to intimate that, with the approval of competent authority and in compliance of the order dated: 10-02-2016 passed by Hon'ble CAT, Calcutta Bench in OA No: 350/00097/2016 in the matter of Moumita Mondal -vs- UOI &Ors a Speaking order Dated: 01-03-2016 was issued intimating the then status of your case of compassionate appointment in P/VSA cadre. Later, as directed by the competent authority R.O. Siliguri intimated you about the then status of your case of compassionate appointment vide R.O. letter SF5/Relax Appt-18/2009 dated: 21-09-2016.

In connection with above it is to intimate that your case was last placed before the CRC meeting held on 27-06-2017 against the earmarked vacancies for the year 2016-2017. But it could not be recommended by the CRC as you had earned 60 merit points, whereas the last recommended candidate earned 64 merit points in P/VSA cadre. However it will again be placed before the next CRC meeting against the earmarked vacancies for the year 2017-2018 for reconsideration, as and when it will be held.

Yours faithfully,

Enclo: Copy of the Speaking order dated: 01-03-2016

& R.O. letter dated: 21-09-2016

Asstt. Director of Postal Services (Recr.)

5. At hearing, Ld. Counsel for the respondents submits that he is not in a position to clarify whether in terms of letter dated 18.01.2018 the applicant's case was placed before the CRC for ~~filling up~~ the vacancy ~~for the~~ year 2017-18. Accordingly, we dispose of this O.A. by directing the respondents to communicate the decision of the said CRC to the applicant, if the matter was placed before the said CRC, within a period of four weeks from the date of receipt of copy of this order and ~~place~~ the matter before the next CRC if nothing stands in the way. No costs.

(Dr. Nandita Chatterjee)
 Member (A)

(Bidisha Banerjee)
 Member (J)

RK