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In the Central Administrative Tribunal

Calcutta Bench

O.A. No. 350/OD 676 of 2020

Smt Triptikana Ganguly, wife of Shri Shambhunath Ganguly, aged about 64 years, Ex-staff no. 203291/ HR No. 197910656 Sr. TOA(G) attached SDR/ Staff-II/ HQ Calcutta Telephone since retired on superannuation on 30.09.2016, verifying at 22/6/A Shyam Sundar Pally, Sakuntala Park, P.S.- Parnasree, Kolkata- 700061.

....Applicant

Vs.

1. Bharat Sanchar Nigam Limited represented by the Chief General Manager, Calcutta Telephone, BSNL 34, BBD Bagh(South), Kolkata- 700001.
2. Principal General Manager (O), Calcutta Telephones, Telephone Bhavan, BSNL 34, BBD Bagh(South), Kolkata- 700001.
3. General Manager (Finance), Calcutta Telephones, Telephone Bhavan, BSNL 34, BBD Bagh(South), Kolkata- 700001.
4. Accounts Officer or Disbursing Officer, BSNL Judges Court Road, 2nd floor, Kolkata- 700027.
5. The General Manager(South), Claim Section, BSNL, 82 Ballyganj Place, Kolkata- 700019.

....Respondents

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

O.A./350/676/2020

Date of Order: 25.09.2020



Coram: Hon'ble Mr. Tarun Shridhar, Administrative Member

Ms. Triptikana Ganguly Applicant

- V E R S U S -

BSNL Respondents

For the Applicants : Mr. P.C.Das & Mr. J.R.Das, Counsel

For the Respondents : Ms. C.Mukherjee, Counsel

O R D E R (Oral)

Tarun Shridhar, Administrative Member:

Heard Ld. Counsel for the parties and examined the record of the case.

2. Applicant, who has retired from service on superannuation on 30.09.2016, is seeking release of retiral benefits and a decision on the treatment of her suspension period. This has been in consequence of a Criminal Case in which the applicant was an accused along with others. However, the Court of Judicial Magistrate did not find the applicant and others guilty of the offence and acquitted them vide order dated 20.08.2019 (Annexure-A/1) as no iota of evidence was proved against them. Ld. Counsel for the applicant submitted that as a chronology to that ground it is fair for the competent authority to immediately release the retiral benefits to the applicant and take a decision in accordance with rules for treatment of period of suspension, which was from 22.09.2007 to 24.12.2009.

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Ld. Counsel for the applicant seeks a direction to the respondents for expeditious decision of both the issues.

3. Ld. Counsel for the respondents assures that an appropriate decision on the last pending representation of the applicant dated 10.08.2020 (Annexure-A/3) will be taken up within a period of four weeks.

4. Having heard Ld. Counsel for both the parties and after perusal of the record, I dispose of this O.A. at this admission stage with direction to the competent respondent authority to consider the representation of the applicant dated 10.08.2020 and take an appropriate decision as per rules in view of the decision of the Learned Judicial Magistrate (as referred to supra) within a period of four weeks from the date of receipt of copy of this order and release all the benefits which are found due and admissible to the applicant in accordance with rules as expeditiously as possible. Needless to say that the contention of Ld. Counsel for the applicant that dues be paid along with the interest which accrues on the amount will also be examined and decided by the competent authority within the ambit of the rules.

5. The present O.A. stands disposed of with the above directions. No costs.

(Tarun Shridhar)
Member (A)

RK