

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH : CALCUTTA

O.A. No. 688/1996

CORAM

Hon'ble Mr. D.C. Verma, Vice Chairman

Hon'ble Mr. G.R. Patwardhan, Administrative Member

Ajit Kumar Chatterjee

Versus

Union of India and Ors.

None is present on behalf of the applicant

Mrs. R. Basu, Advocate, present for respondents:

..... Date of Order : 18.01.2005

ORDER
(PER D.C. VERMA)

By this Original Application, applicant has claimed that he be given the charge of cash-handling as Cashier and consequent allowance for the said job.

2. The facts in brief. The applicant has been working as a Upper Division Clerk (UDC), while the post of Cashier was being held by Miss P. Bhattachargee and On promotion of Miss P. Bhattachargee as Assistant, the post of UDC-cum-Cashier was going to fall vacant w.e.f. 31.12.1995. The applicant applied for the same and gave his willingness accordingly. As the applicant was not the senior-most, the offer was given to one Shri S.R. Pal. Applicant, being aggrieved by the said order had filed this application in June 1996.



3. The respondents' case is that there is no sanctioned post of Cashier. A UDC at the discretion of the appointing authority is given the charge to handle cash and perform the duties of Cashier. For such job, a Special Pay is permissible. In the instant case, the senior-most U.D.C. was given appointment on the said post.

4. The O.A. was initially filed by Shri S.K. Ghosh, Advocate, after whose demise, a registered notice was issued to the applicant to appear in person or to engage some other advocate to argue on his behalf. None, however, appeared and since the case is very old, it has been taken up for decision on merits.


5. Mrs. Basu, Advocate on behalf of the respondents has been heard and the pleadings on record has been perused. ~~From~~ Annex. R/1 which provides for grant of Special Pay to Cashier, shows that the Head of the Department at his discretion may appoint a LDC/UDC/Assistant to perform the duties of Cashier and for such additional duty, such appointee is given a Special Pay. The reply shows that the cash handling job ^{can} ~~has~~ been entrusted to any of the eligible persons and there is no post of Cashier in the Unit. The competent authority appointed the senior-most UDC to work as Cashier. The applicant was not the senior-most, therefore, he has no right to claim the post of Cashier. Arbitrariness in the case in hand, also cannot be alleged, as the senior-most UDC has been given the charge of the post in question.

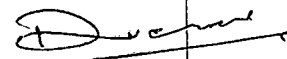
6. The learned counsel for respondents Mrs. Basu pointed-out that this O.A. was filed in June 1996 and thereafter, the applicant was promoted to the post of Assistant on 9.8.1996 and it appears that thereafter



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he had not taken care to pursue the matter. It is also brought to our notice that the applicant has already retired from service ⁵and after going through the pleadings and the facts mentioned above, we find that applicant had no right to hold the additional charge of the post of Cashier and consequently, the O.A. has no merit and is dismissed. Costs easy.


(G.R. Patwardhan)
Administrative Member


(D.C. Verma)
Vice Chairman

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