

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA 1029 of 1996

Present : Hon'ble Mr. Sarweshwar Jha, Administrative Member
Hon'ble Mr. M.K.Gupta, Judicial Member

Dipti Khan (S.K.), wife of Sk. Hanif,
aged about 40 years, working for gain
as EDSPM, Uttar Kanyanagar EDSO, Baruipur Head Post Office, Kanyanagar, 24-Parganas(S), residing at Vill: Uttar Ramkrishnapur, P.O. Sukdebput.

... Applicant

- VS -

- 1) Union of India, service through the Ministry of Telecommunication, D/o Posts, New Delhi.
- 2) Chief Postmaster General, W.B. Circle, Calcutta.
- 3) Supdt. of Post Offices, South Presidency Division, Baruipur, 24-Parganas(S).
- 4) Postmaster, Baruipur, H.Q., Baruipur, 24-Parganas(S).

... Respondents

For the Applicant : Mr. S.K. Dutta, Counsel

For the Respondents: Mr. B.K. Chatterjee, Counsel

Date of Order : 22-09-2004

ORDER

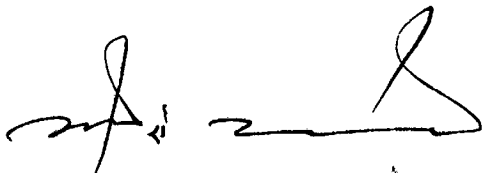
MR. SARWESHWAR JHA, AM

This application has been filed against the termination of service of the applicant as EDSPM, Uttar Kanyanagar EDSO vide letter dated 2-7-1997 which was received by the applicant on 7-8-1996 and also against non-regularisation of her service in spite of representation having been submitted by her on 7-8-96. She has accordingly prayed that the respondents be directed to cancel the said termination letter and also to dispose of her representation dated 7-8-1996 (Annexure-D).

Contd...

2. During the course of argument, it has been submitted by the Id. Counsel for the respondents that they could not take any further action on alternative employment being given to the applicant in terms of their order dated 2-7-1996 for the simple reason that this original application had been pending decision. It has, however, ^{been} pointed out by him that the respondents could have taken positive action in the matter during the pendency of the case and they should have accordingly proceeded with alternative employment being given to the applicant.

3. Having regard to the fact that the respondents themselves have undertaken to consider the case of alternative employment being given to the applicant as governed under Rule 13(2) of method of recruitment in Swamy's Compilation of Service Rules for Postal ED staff and also to the fact that the respondents have otherwise nothing against the applicant, this original application is disposed of with direction to the respondents to consider the representation of the applicant as submitted by her pursuant to the reference made hereinabove and to offer her alternative employment, if she is otherwise eligible for the same. They are also directed to ensure that the matter is considered and disposed of as per the above direction by passing a reasoned and speaking order within a period of one month from the date of receipt of a copy of this order as per law. No costs.



Member(J)



Member(A)