

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No. 326 of 1997.

Present : HON'BLE DR. B.C. SARMA, ADMINISTRATIVE MEMBER.

HON'BLE MR. D. PURKAYASTHA, JUDICIAL MEMBER.

Ashish Bose  
S/o- Late, Sankar Chandra Bose,  
resident of Madhabganj, P.O. Bishnupur,  
Dist- Bankura, working as EDDA Gallia P.O.  
PO & Dist- Bankura.

.... Applicant.

Vrs.

1. Union of India,  
service through the  
Secretary,  
Ministry of Communication,  
Dept. of Posts,  
Dak Bhawan, New Delhi-1.
2. Chief Postmaster General,  
West Bengal Circle,  
Yoga Yog Bhawan,  
Calcutta- 12.
3. Sr. Supdt. of Post Offices,  
Bankura, Division PO & Dist- Bankura.
4. Sub-divisional Inspector of P.Os,  
Bishnupur, Sub-Divn. Bishnupur, Bankura.

... Respondents.

For applicant : Mr. N. Bhattacharya, Counsel.

For respondents : Mr. B. Mukherjee, Counsel.

Heard on : 4.12.97.

Ordered on : 4.12.97.

O R D E R

B.C. Sarma, AM.

1. The grievance of the applicant in this case is that he was selected for the post of E.D.M.C Gourbazar PO, Bankura district as per order dated 7.8.1995, as set out at Annexure A-1 to the application. In the said letter he was also directed to assume charge of the E.D.M.C Gorabazar at once from the Branch Post Master, Gorabazar and to submit a declaration of the residence. The applicant's

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grievance is that he had gone to join duties at Gourbazar but he was not allowed to join there on being threatened by the local public. He took up the matter with the local police authorities and the postal authorities but that has elicited no result and, ultimately, he was allowed to join at a different place. But on the ground that he was posted in a different post viz. E.D.D.A at Gellia sub P.O, the Sr. Supdt. of Post Offices had ordered that he should not continue in that post and he took leave. Being aggrieved thereby, the instant application has been filed praying for the relief for a direction on the respondents to allow him to continue at Gellia S.O.

2. Mr. B. Mukherjee, 1d. Counsel had earlier appeared in this case for the respondents. But today when the admission hearing of the matter was taken up, he was not present. Even though the 1d. Counsel for the respondents was not present, we took up the matter for adjudication since we are of the view that this is an urgent matter and some sort of intervention from our side is called for.

3. We have considered the submission made by Mr. Bhattacharya, 1d. Counsel for the applicant. It is unfortunate that although the applicant was duly selected for the post of E.D.M.C, Gourbazar, he was prevented from joining there by some local public but the postal authorities did not extend any tangible assistance to the applicant to enable him to join at Gourbazar rather they had passed an order directing the applicant to join in a different place and different post. This sort of incident is not consistent to run a smooth administration. If the authorities had passed orders regarding his selection in the post of E.D.M.C at Gourbazar it was also their duty to ensure that he is given all facilities to join there and to see that no one resists him from joining at Gourbazar. We do not see any such attempt ~~has been~~ made by the postal authorities.



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in this regard which is condemnable. The administration cannot be succumbed to the maffia rule and this must be stopped. We are, therefore, of the view that appropriate order to be passed in this case is to give an appropriate direction in the matter on the postal authorities.

4. Accordingly, the application is disposed of at the stage of admission itself with the direction that the respondent no. 3, who is the Senior Superintendent of Post Offices, Bankura Division, shall take up the matter about the joining of the applicant at Gourbazar B.O. with the district authorities, and, even if with the police help, he must ensure that the applicant joins as E.D.M.C at Gourbazar B.O. within a period of one month from the date of communication of this order. Since the applicant was not selected as E.D.D.C, Gellia, we do not see any reason for faulting the decision taken by the Sr. Supdt. of Post Offices in not allowing him to continue at Gellia. Accordingly, therefore, we have moulded the relief prayed for in the application and issue that direction. No order is passed as regards costs.

5. We direct the Registry to send a copy of this order to the Supdt. of Police, Bankura for taking appropriate action immediately since an averment has been made by the applicant that the local O.C. did not give any assistance in the matter without any order from the Supdt. of Police.

Later, Mr. B. Mukherjee, 1d. Counsel for the respondents, appeared and he submits that ~~the~~ at the relevant time he was on his legs in Court No. I.

  
(D. Purkayastha )  
Member (J)

  
B.C. Sarma )  
Member (A)