

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :::: GUWAHATI-5.

O.A. NO. 122 of 1997
T.A. NO.

DATE OF DECISION 24.6.1997
(AT ADMISSION STAGE)

Shri M. Das

(PETITIONER(s))

Mr N. Dhar

ADVOCATE FOR THE
PETITIONER (s)

VERSUS

Union of India and others

RESPONDENT (s)

Mr G. Sarma, Addl. C.G.S.C.

ADVOCATE FOR THE
RESPONDENT (s)

THE HON'BLE MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN
THE HON'BLE MR G. L. SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.122 of 1997

Date of decision: This the 24th day of June 1997
(AT ADMISSION STAGE)

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

The Hon'ble Mr G.L. Sanglyine, Administrative Member

Shri Monoranjan Das,
Extra Departmental Delivery Agent,
Latu Extra Departmental Sub-Post Office,
Karimganj, Assam.

.....Applicant

By Advocate Mr N. Dhar.

-versus-

1. Union of India, represented by the
Secretary to the Government of India,
Ministry of Communication,
New Delhi.
2. The Chief Postmaster General,
Assam Circle, Guwahati.
3. The Senior Superintendent of Post Offices,
Cachar Division,
Silchar, Assam.
4. The Sub-Divisional Inspector of Post Offices,
Karimganj, Assam.
5. Smt Sabita Malakar,
Latu Extra Departmental Sub-Post Office,
Karimganj, Assam.

.....Respondents

By Advocate Mr G. Sarma, Addl. C.G.S.C.

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O R D E R

BARUAH.J. (V.C.)

In this application the applicant has prayed for appropriate direction to the respondents, more specifically respondent No.3. The subject matter of the present application is that the applicant was selected for appointment of the post of Extra Departmental Sub Posmaster and he was about to be appointed, but surprisingly,

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the authorities instead of appointing the applicant appointed some other person, namely, Smt Sabita Malakar. Thereafter, the higher authority wanted to terminate the appointment of Smt S. Malakar. Situated thus, the said S. Malakar moved this Tribunal by filing an original application (O.A.No.190/92) and the said application was disposed of by this Tribunal by a judgment and order dated 25.10.1995. In para 6 of the said order this Tribunal directed the Chief Postmaster, Assam Circle, Guwahati, to cause an enquiry to be made by either the Assistant Postmaster General (Vig) or the Inspector of Post Offices or the Special Superintendent of Post Offices as may be found appropriate to hold the enquiry into the alleged false statement of the source of income made by the applicant with reference to the date of her selection. The Tribunal further directed that at such enquiry the applicant should be given an opportunity of personal hearing to explain her position in that respect as well as to explain the circumstances under which the affidavit, Annexure-A to the written statement of respondent Nos.1, 2 and 3 was declared by her and pass orders as directed. The present applicant was respondent No.5 in the said original application. In para 10 of the said judgment it was specifically mentioned thus:

"10. The respondent No.5 will be at liberty to agitate his grievance and seek legal redress if so advised independently and this order shall be without prejudice to his such right."

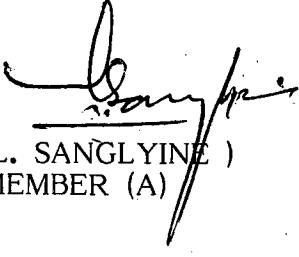
Pursuant to the said order the applicant submitted a representation before respondent No.3 on 8.3.1996. Till now, the authorities have not yet disposed of the said representation. Hence the present application.

2. Heard Mr N. Dhar, learned counsel for the applicant and Mr G. Sarma, learned Addl. C.G.S.C. On hearing the counsel for the parties we dispose of this application with a direction

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to respondent No.3 to dispose of the representation filed by the applicant as stated above as early as possible, at any rate, within a period of two months from the date of receipt of this order.

3. With the above observation the application is disposed of. However, considering the facts and circumstances of the case we make no order as to costs.


(G. L. SANGLYINE)
MEMBER (A)


(D. N. BARUAH)
VICE-CHAIRMAN

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