



OA 350/600/2018

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

Original Application No. 600 of 2018

An application under section 19 of the Administrative Tribunal Act 1985;

Probhat Kumar Mondal son of Late
Bankim Chandra Mondal retired
from postal service on 31.01.2008
residing at Village - Rajarampur,
Post Office - Rajarampur via
Fatehpur, District - 24-Parganas
(South), Pin - 743 513.

.. Applicant.

- Versus -

1. Union of India through the
Secretary, Government of India
Department of Post, Dak Bhawan,
Parliament Street, New Delhi - 110
001.

2. The Chief Post Master General
Yogag Bhawan, Kolkata - 700 012

3. The Superintendent of Post
Offices/Disciplinary Authority.
South Presidency Division, Kolkata -
700 144

all

4. Mr. P. K. Roy/Enquiry Officer/
Deputy Director(1H) Kolkata G.P.O.
Kolkata - 700 001.

5. The Sub-Post Master, Hansari,
Village and Post Office Hansari,
Baruipur, District - South 24-
Parganas, Pin - 743.609.

... Respondents.

NSL

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

No.O.A.350/600/2018

Date of order : 24.05.2018

Coram : Hon'ble Mr. A.K. Patnaik, Judicial Member

For the applicant : Mr. A.P. Deb, counsel

For the respondents : Mr. A.K. Chattopadhyay, counsel

ORDER (ORAL)

A.K. Patnaik, Judicial Member

This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 challenging the charge sheet being Memo No.F-4-8/01/2007-2008 dated 31.01.2008 issued by the Superintendent of Post Offices, South Presidency Division, Kolkata-700 124 and the Enquiry Report dated 06.01.2011. The applicant has also challenged the inaction of the Disciplinary Authority in issuing the final order on completion of inquiry proceedings.

2. In the O.A. the applicant has prayed for the following reliefs:-

"8(a) To direct the Respondent/ Disciplinary authority to issue an order after due completion of the Disciplinary proceedings and filing of Enquiry Report long back on 06.01.2011 and replied to the Enquiry Officer's report dated 13.03.2011 within a specified period subject to that any failure to pass such order by the Disciplinary Authority within the stipulated period would render the said proceedings as quashed and charges thereto on the ground of delay itself.

(b) To pass such other or further order or orders as your Lordships may deem fit and proper."

3. Heard Mr. A.P. Deb, Id. counsel for the applicant. Mr. A.K. Chattopadhyay, Id. counsel for the official respondents is also present and heard.

Wd

4. Mr. A.P. Deb, Id. counsel for the applicant submitted that the applicant made a representation to the Respondent No.3 ventilating his grievances therein on 04.05.2017(Annexure A/6) but has not received any response till date. Mr. Deb further submitted that the applicant is a senior citizen and he would be satisfied for the present if a direction is given to the Respondent No.3 i.e. the Superintendent of Post Offices, South Presidency Division, Kolkata or any other competent authority to consider and dispose of the representation of the applicant dated 04.05.2017(Annexure A/6) as per rules/guidelines in force, within a specific time frame.

Though no notice has been issued to the respondents, I think it would not be prejudicial to either of the parties if such prayer of the Id. counsel for the applicant is allowed.



5. Accordingly the Respondent No. 3 i.e. the Superintendent of Post Offices, South Presidency Division, Kolkata or any other competent authority is directed to consider and dispose of the representation of the applicant dated 04.05.2017(Annexure A/6) as per rules and guidelines governing the field and communicate the decision to the applicant by way of a well reasoned order within a period of six weeks from the date of receipt of a copy of this order. After such consideration, if the applicant is found entitled to the benefits as claimed in the representation, the respondent authorities shall grant such benefits to him within a further period of six weeks from the date of taking decision in the matter.

6. It is made clear that I have not gone into the merits of the case and all the points raised in the representation are kept open for consideration by the respondent authorities as per rules and guidelines governing the field.

Handwritten signature

7. With the above observations and directions, the O.A. is disposed of. No order as to cost.
8. A copy of this order be handed over to ld. counsel for both sides.

(A.K. Patnaik)
Judicial Member

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