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CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA/350/733/2016

Date of Order: 06.12.2017

Coram : Hon'ble Manjula Das, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Sri Krishna Pramanick,
Son of Ganesh Chandra Pramanick,
working for gain as G.D.S.B.P.M. at
Village and Post Office-Sansat,
Branch Office, via Bahiri, Police
Station – Bholpur, Birbhum Division,
District – Birbhum, Pin Code-731240
residing at Village and Post Office-
Kurunnahar, Police Station – Labpur,
under Kurunnahar Gram Panchayat
District-Birbhum, Pin Code 731304.

--Applicant

-Versus-

1. Union of India
Service through the Secretary,
Department of Post under Ministry
of Communication and
Information Technology, New
Delhi – 1.
2. The Superintendent of Post,
Birbhum Division, Post Office and
Police Station –Suri, Pin Code
731101.
3. The Chief Post Master General,
West Bengal Circle, Yogayog
Bhawan, Kolkata-700012.
4. The Assistant Director of Postal
Service (Staff. Est & PN & CPIO)
Office of the Chief Post Master
General , as Chairman, West
Bengal Circle, Yogayog Bhawan,
Kolkata – 700012.
5. The Inspector of Post Offices,
Bolpur Sub-Division, Post Office-
Shantiniketan, District- Birbhum,
Pin Code 731235.

---Respondents

For the Applicant(s) : Mr. K. Mukherjee, Counsel
For the Respondent(s) : Mr. S. Paul, Counsel

ORDER

Per Mrs. Manjula Das, Judicial Member

The applicant has filed this O.A under Section 19 of the Administrative Tribunals
Act, 1985 seeking the following reliefs:



" (a) Directing the Respondent Authorities to consider Your Applicant's prayer for limited transfer facility and approve the same in favour of Your Applicant within a reasonable time.

(b) Directing the Respondent Authorities, particularly the Respondent No. 2, Superintendent of Post herein to produce or cause to be produce the Original record before this Tribunal.

(c) Costs:

(d) Any other or further order or orders to which the applicant may be found entitled by this Learned Tribunal."

2. The grievance of the applicant as narrated in this O.A is that, he has not been allowed limited transfer facility by the respondents. It was further submitted by the Id. counsel that, he has completed his three years in the GDS Cadre at Sansat Branch Office, Birbhum. It was submitted by the Id. counsel that the applicant made a representation before the authorities on 17.11.2014 for transferring him to Bunia Branch Office, as he is a patient of Gastric ulcer, and for that reason he has to take home food as advised by Doctor. It was submitted by Id. counsel that, further the applicant made a representation dated 23.02.2015 stating he was suffering from Hepatitis. It was further submitted by the Id. counsel that the Department vide Circular dated 17.07.2006 on the subject of limited transfer facility to GDS where in para 2 (iv) stipulates "where the GDS himself/herself suffers from extreme hardship due to a disease and for medical attention/treatment, such transfer may be allowed on production of a valid medical certificate from the medical officer of a Government hospital."

3. Ld. counsel for the respondent further submits that there is no such fresh medical certificate as regards to fitness of the applicant or any suffering from any disease accordingly sent a letter to the applicant on two points:

" (i) Where the GDS official suffering from Chronic Active Hepatitis is not fit or otherwise.



((ii) If not fit yet, fresh medical certificate is to be obtained and sent to the respondent authorities office.

The required medical certificate is yet to be received from Shri Pramanick.

4. Both the counsel of the parties however submitted that the matter be disposed of by directing the applicant to approach the competent authority.

5. By accepting the submission made by Ld. counsel for both the parties, we directed the applicant to approach a competent authority/medical officer in regard to his health condition, so as to issue fresh medical certificate and to produce the same before the respondent authorities who thereafter will consider his case.


6. It is made clear that after receiving the fresh medical certificate of the applicant, the respondent authority shall consider the case of the applicant by keeping in mind the Circular dated 17.07.2006, within a period of 1 week from the date of receipt of the medical certificate.

7. With the above observation, the O.A stands dispose of. No costs.



(Dr. Nandita Chatterjee)

Member (A)



(Manjula Das)

Member (J)

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