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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL KOLKATA BENCH
UNDER SECTION 19 OF THE A.T. ACT, 1985.
O.A. No. 350/736 /2018

Sri Supriyo Biswas, son of Late
Rabindra Nath Biswas, aged
about 45 years, working as
Sorting Assistant, Ranaghat
RMS, Post Office - Ranaghat,
Police Station - Ranaghat, Nadia,
PIN 741201, under RMS 'H'
Division 196, A.G. Arabinda
Sarani, Kolkata 700004 and
residing at P-45A, Bosu Nagar
(2½ No Gate), Post Office
Madhyamgram, Kolkata 700129.

....Applicant

-Versus-

1. Union of India, Service through
the Secretary, Ministry of
Communication, Department of
Posts, Govt of India, Dak
Bhawan, New Delhi - 110001.

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2. The Chief Post Master
General, WB Circle, Yogayog
Bhawan, C.R. Avenue, Kolkata
700012.

3. The Director of Postal
Services (HQ), O/o the Ch. PMG,
WB Circle, Yogayog Bhawan,
Kolkata - 700 012.

4. The Superintendent,
RMS 'H' Division, 196 AG,
Arabinda Sarani, Kolkata - 700
004.

....Respondent

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

No.O.A.350/736/2018

Date of order : 04.06.2018

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

For the applicant : Mr. K. Sarkar, counsel
Ms. A. Sarkar, counsel

For the respondents : None

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 impugned order dated 22.05.2018(Annexure A/2). In the O.A. the applicant has sought for the following reliefs:-

- "a) To issue direction upon the respondent and other main and agents to cancel, quash and set aside impugned order dated 22.05.2018 forth with;
- b) To issue further direction upon the respondent to allow the applicant to transfer him to HQ unit/Sealdah RMS forthwith;
- c) To issue appropriate necessary direction to deal with and dispose of the representative(Annexure A3) forthwith;
- d) To issue appropriate necessary direction for production of transfer file at the time of hearing;
- e) Any other order or orders as the honorable tribunal deem fit and proper."

2. Heard Id. counsel Mr. K. Sarkar leading Ms. A. Sarkar, Id. counsel for the applicant. None appears for the official respondents.

3 Mr. K. Sarkar appearing on behalf of the applicant submitted that the applicant has sent a representation to the Respondent No.3 ventilating his



grievances therein but has not received any response till date. Mr. Sarkar further submitted that the applicant's grievance would be more or less satisfied if a direction is given to the Respondent No.3. i.e. the Director of Postal Services(HQ) O/o the Chief Post Master General, West Bengal Circle, Yogayog Bhawan, Kolkata to consider and dispose of the representation of the applicant dated 23.05.2018(Annexure A/3) keeping in view the Memo No.B2-23/XII dated 19.01.2018(Annexure A/1) issued by the Department of Posts, Office of the Senior Superintendent, RMS "H" Division and other 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.

4. Accordingly the Respondent No.3. i.e. the Director of Postal Services(HQ),O/o the Chief Post Master General, West Bengal Circle, Yogayog Bhawan, Kolkata or any other competent authority is directed to consider and dispose of the representation of the applicant dated 23.05.2018(Annexure A/3) keeping in view the Memo No.B2-23/XII dated 19.01.2018(Annexure A/1) issued by the Department of Posts, Office of the Senior Superintendent, RMS "H" Division and other rules/guidelines in force 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.

5. 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.

6. With the above observations and directions, the O.A. is disposed of.

7. As prayed by Id. counsel for the applicant, a copy of this order along with the paper book be transmitted to the Respondent No.3 by speed post by the Registry for which the Id. counsel for the applicant shall deposit the cost within one week.

(A.K. Patnaik)
Judicial Member

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