

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

No. O.A. 350/00831/2011

Date of order: 22.03.2018

Present : **Hon'ble Ms. Manjula Das, Judicial Member**
Hon'ble Dr. Nandita Chatterjee, Administrative Member

1. Samar Kumar Patra,
Son of Late Debendra Nath Patra,
Postal Assistant Circle Office,
The Chief Post Master General,
W.B. Circle,
Kolkata – 700 012,
Residing at 114, Ram Sita Ghat Street,
P.O. – Bhadrakali,
District – Hooghly.
2. Tapan Kr. Maulick,
Son of Late Upendra Nath Maulick,
Postal Assistant Circle Office,
The Chief Post Master General,
W.B. Circle,
Kolkata – 700 012,
Residing at Purbachal,
R. Gopalpur,
Kolkata – 700 136.
3. Manisha Ghosh,
Wife of Samir Ghosh,
Postal Assistant Circle Office,
The Chief Post Master General,
W.B. Circle,
Kolkata – 700 012,
Residing at S.M. Bose Road,
P.O. Agarpara, Dist. – 24- Parganas (North),
Kolkata – 700 109.
4. Lakshman Chandra Ghosh,
Son of Late Manmatha Nath Ghosh,
Retired Postal Assistant Circle Office,
The Chief Post Master General,
W.B. Circle,
Kolkata – 700 012,
Residing at I/II/3/3, C.C. Block, Salt Lake,
Kolkata – 700 064.
5. Shyamali Mukherjee,
Wife of Pronab Mukherjee,
Postal Assistant Circle Office,
The Chief Post Master General,
W.B. Circle,
Kolkata – 700 012,
Residing at 329, Sree Pally,
Kolkata – 700 093.
6. Ratanu Dutta Mazumder,
Son of Late Pranesh Dutta Mazumder,
Postal Assistant Circle Office,
The Chief Post Master General,

W.B. Circle,
Kolkata – 700 012,
Residing at 174/25/A,
N.S.C. Bose Road,
Kolkata – 700 040.

7. Susanta Kumar Acharjee,
Son of Late Kalipada Acharjee,
Postal Assistant Circle Office,
The Chief Post Master General,
W.B. Circle,
Kolkata – 700 012,
Residing at 16/1/1/H/48,
Biplabi Barin Ghosh Sarani,
Kolkata – 700 067.
8. Rina Bhattacharjya,
Wife of Sibdas Bhattacharjya,
Postal Assistant Circle Office,
The Chief Post Master General,
W.B. Circle,
Kolkata – 700 012,
Residing at 286, Nilachal,
Birati, Kolkata – 700 051.
9. Susanta Ghosh,
Son of Shri Sailendra Nath Ghosh,
Postal Assistant Circle Office,
The Chief Post Master General,
W.B. Circle,
Kolkata – 700 012,
Residing at 32, Ananda Palit Road,
Kolkata – 700 014.
10. Sudhir Kumar Deb,
Son of Late Prafulla Kumar Deb,
Retired Postal Assistant Circle Office,
The Chief Post Master General,
W.B. Circle,
Kolkata – 700 012,
Residing at Village Alipore,
Nimta, P.O. Nimta,
Kolkata – 700 049.

.. Applicants

- V E R S U S -

1. Union of India,
Service through the Secretary to the
Govt. of India,
Ministry of Communication,
Department of Posts,
Dak Bhawan, Samsad Marg,
New Delhi – 110 116.
2. The Director General of Posts,
Ministry of Communication,
Department of Posts,
Dak Bhawan, Samsad Marg,
New Delhi – 110 116.

3. The Chief Post Master General,
West Bengal Circle,
Yogayog Bhawan,
C.R. Avenue,
Kolkata – 700 012.
4. The Post Master General,
Office of the CPMG,
Kolkata Region,
Yogayog Bhawan, C.R. Avenue,
Kolkata – 700 012.
5. Assistant Post Master General (Staff),
O/o. West Bengal Circle,
Yogayog Bhawan, C.R. Avenue,
Kolkata – 700 012.

.. Respondents

For the Applicants : Mr. A. Sengupta, Counsel

For the Respondents : Ms. M. Bhattacharyya, Counsel

O R D E R (Oral)

Per Manjula Das, Judicial Member:

Heard Mr. A. Sengupta, Ld. Counsel for the applicants and Ms. M. Bhattacharyya, Ld. Counsel for the official respondents.

2. The applicant are the employees of Department of Posts and their grievance is that after introduction of Time Bound Promotion under BCR Scheme they are entitled to the promotional benefits. However, they were not granted the same.

3. Being aggrieved, they approached before this Tribunal seeking the relief as prayed for.

4. Ms. M. Bhattacharyya, Ld. Counsel appearing on behalf of the respondents, however, submitted that the applicants were awarded financial upgradation under TBOP Scheme w.e.f. 26.6.1993, 2.11.1993 as the case may be in accordance with the Ministry of Communication, Department of Posts, New Delhi order No. 22-5/95-PE-I dated 8.2.96. According to the Ld. Counsel the applicants are entitled to get the benefit after completion of 26 years of regular service, which has already been granted, as such, there is no scope to grant further relief.

5. Mr. A. Sengupta, Ld. Counsel for the applicant, however, submitted that

although the benefit was granted by the respondents but they did not get the benefits from the date when their juniors are granted the next higher scale of pay. Ld. Counsel further fairly prays before this Court that he would be satisfied if he is allowed to withdraw the Original Application by giving liberty to approach before the authorities by ventilating and narrating their grievances as per circular dated 8.5.2017. The Ld. Counsel for the respondents has no objection in this regard.

6. In view of the submissions made by Ld. Counsel, without entering into the merits of the case, we direct the applicants to make a comprehensive representation by ventilating their grievance as per circular dated 8.5.2017 issued by the Ministry of Communication, Department of Post, within a period of one month from the date of receipt of a copy of this order. If so filed, the respondent authorities shall dispose of the said representation within a period of four months thereafter by passing a reasoned and speaking order and the decision so arrived at shall be communicated to the applicants forthwith.

(Nandita Chatterjee)
Administrative Member

(Manjula Das)
Judicial Member

SP