



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CALCUTTA BENCH,
C A L C U T T A

O.A. NO. 350/00 917 OF 2017

Sri Lal Mohan Raul

aged about 21 years, son of Sri Gour *Tr*

Hari Raul, Village & Post Office – Gurgram,

District – Purba Medinipore, Pin – 712659

by occupation – unemployed and selected

candidate to the post of GDSMC in the

Mathchandipur Sub-Division (Postal),

Purba Medinipore.

..... Applicant

- Versus -

1. Union of India through the Secretary, Govt.
of India, Ministry of Communication and
Information Technology, Department of
Post, 20, Sanchar Bhavan, Ashoka Road,
New Delhi – 110001.

2. The Chief Post Master General, West

Al

Lal Mohan Raul.

- 2 -

Bengal Circle, South Bengal Region, Jogayog
Bhavan, Chitta Ranjan Avenue, Kolkata 70012.

3. The Director of Postal Services, West Bengal
Circle, South Bengal Region, Jogayog Bhavan,
Chitta Ranjan Avenue, Kolkata 700012.
4. The Superintendent of Post Office, Tamluk
Division, Post Office – Tamluk, Pin – 721636.
5. The Sub Divisional Inspector (Postal),
Mathchandipur Sub Division, Mathchandipur,
District – Purba Medinipur, Pin – 721659.
6. Sri Ashok Mandal, Group 'D' employee,
Mathchandipur Post Office, Pin – 721659.

..... Respondents.



No. O.A. 350/00917/2017

Date of order: 30.6.2017

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

For the Applicant : Mr. P.C. Das, Counsel
Ms. T. Maity, Counsel

For the Respondents : None

ORDER (Oral)

A.K. Patnaik, Judicial Member:

Heard Mr. P.C. Das along with Ms. T. Maity, Ld. Counsel for the applicant.

2. This OA has been filed by Sri Lalmohan Raul, residing at Village & P.O. – Gurgram, District – Purba Medinipore challenging non-consideration of his present application for appointment to the post of Gramin Dak Sebak Mail Carrier despite being selected to the said post by way of selection dated 27.1.2007 issued by the Sub Divisional Inspector (Postal), Mathchandipur Sub-Division, Purba Medinipur and also non-consideration of his representation dated 23.2.2017 whereby he has requested the Superintendent of Post Office, Tamruk Division that an appointment order to the post of GDSMC may be issued in his favour who has been selected in the said post. This O.A. has been filed praying for the following reliefs:

- "a) To pass an appropriate order directing upon the respondent authority to issue the appointment order to the post of Gramin Dak Sebak Mail Carrier (GDSMC) in terms of the notification No. A2/Nazir Bazar/09-10 dated 10.09.2009 and on the basis of such selection letter issued by the Sub Divisional Inspector (Postal), Mathchandipur Sub-division, Purba Medinipur being Annexure A-1 and A-3 of this O.A. along with all consequential benefits.
- b) To pass an appropriate order directing upon the respondent authority to effect the appointment of the present applicant with effect from 2010 and to give seniority and other consequential benefits in connection with the post of GDSMC in terms of Annexure A-1 and A-3 of this O.A.
- c) To pass an appropriate order directing upon the respondent authority to take appropriate steps and to fix the responsibility of the concerned officials of the department upon whose laches the

all

applicant did not get appointment despite he has been selected for the said post being eligible and qualified candidate being declared successful in the selection process conducted by the respondent authority.

d) Costs;

e) Any other appropriate relief or reliefs as your Lordships may deem fit and proper."

3. The facts in a nut shell as per Mr. Das, Ld. Counsel for the applicant are that as per Employment Notice No. A2/Nazir Bazar/09-10 dated 10.9.2009 for appointment to the post of Gramin Dak Sevak Mail Carrier (GDSMC) the applicant duly applied for the said post on 10.9.2009. Thereafter on 27.1.2010 a selection letter was issued in his favour by the Sub-Divisional Inspector (Postal) to the post of GDSMC. Thereafter document verification was done. The applicant duly submitted the documents but no appointment order was issued in his favour. On 23.2.2017 he submitted a representation to the Superintendent of Post Office, Tamluk Division with regard to his appointment which is still pending consideration.

4. Mr. Das, Ld. Counsel for the applicant submitted that the grievance of the applicant would be more or less addressed if a specific order is passed by directing the concerned authority i.e. respondent No. 4 to dispose of the representation dated 23.02.2017 within a specific time frame.

5. Though no notice has been issued still then I think it appropriate to dispose of this O.A. without waiting for reply by directing the respondent No. 4, that if any such representation have been preferred on 23.02.2017 and the same is still pending consideration, then it may be considered and disposed of by way of a well-reasoned order within a period of two months from the date of receipt of a copy of this order under communication to the applicant and if after such consideration, the applicants' grievance is found to be genuine, then expeditious steps may be taken within a further period

of three months from granting the benefits to the applicant. However, if in the meantime, the representation stated to have been preferred on 23.02.2017 have already been disposed of then the result be communicated to the applicant within a period of two weeks from the date of receipt of a copy of this order.

6. I make it clear that I have not gone into the merits of the matter and all points are kept open for the respondents to consider the same as per the rules and regulations in force.

7. A copy of this order along with paper book be transmitted to the respondent No. 4 by speed post for which Mr. Das undertakes to deposit necessary cost in the Registry by the next week.

8. With the aforesaid observation and direction, the O.A. is disposed of.

(A.K. Patnaik)
Judicial Member