



O.A. No. 350/954/2018

M.A. No. 350/479/2018

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

KOLKATA BENCH

AN APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE  
TRIBUNAL ACT, 1985.

O.A. No. \_\_\_\_\_ of 2018.

1. Sri Amitava Bera,

Son of Nema Ch. Bera, working  
as Postal Assistant at Serampore  
H.O., residing at Vill+P.O - Kelerā  
Dist - Hooghly, Pin - 712410

2. Sri Kartick Chandra Kundu,

Son of Sankar Kundu, working  
as Postal Assistant under South  
Hooghly Division, Serampore, re-  
siding at Vill+P.O - Rajbalhat (Deypara)  
Dist - Hooghly, Pin - 712408

3. Sri Pradip Adak,

Son of Lt. Sambhu<sup>nath</sup> Adak, working as  
Postal Assistant under South Hoog-  
hly Division, residing at

Vill - Shibarambat, P.O - Balarambat  
Dist - Hooghly. Pin - 712409

4. Sri Tapan Kumar Paramanik,

Son of Bibhuti Paramanik,  
working as Postal Assistant under  
South Hooghly Division, and resi-

ding at Vill+P.O - Nua Pura  
Min - Khalisani Dist Hooghly  
Pin 712138

Tapan Kr. Santra  
S/o - Lt. Ramch. Santra  
Vill+P.O → Januna  
via - Khalisani  
Dist - Hooghly - 712138

.....Applicants.

*all*

- Versus -

1. Union of India, through the Secretary,  
Ministry of Communication, Dak Bhawan,  
New Delhi 110 001.

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

3. The Post Master General, South Bengal  
Region, Kolkata - 700 012.

4. The Sr. Superintendent of Post Office,  
South Booghly Division, Serampore, Pin Code  
No.: 712 201.

..... Respondents.

10/11

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH  
KOLKATA

No.O A /350/954/ 2018  
M.A/350/479/2018

Date of order: 18.07.2018

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

For the applicant : Mr. N. Roy, counsel

For the respondents : Mr. K. Prasad, counsel

**ORDER(Oral)**

**A. K. Patnaik , Judicial Member**

This O.A. has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

"8.(a) To issue direction upon the respondents to consider the applicants' case for old pension scheme forthwith.

(b) To issue further direction upon the respondents to consider the representation of the applicants for old pension scheme forthwith.

(c) To issue further direction upon the respondents to consider the case for old pension scheme where the same similar person, namely Sri Mrinal Chakraborty has been considered for old pension scheme and where the said Chakraborty has joined after 1.1.04 and his date of joining is 10.01.04, according to that, the applicants are also same similar persons and their case may be considered for old pension scheme forthwith.

(d) Any other order or orders or further order or orders as deem fit and proper under the circumstances of the case.

(e) To produce Connected Departmental Record at the time of Hearing.

(f) Leave may be granted to file joint application under Rule 4(5)(a) of CAT/Procedure, 1987."

2. The applicants have also filed the M.A.No.350/479/2018 seeking permission of this Tribunal to move the O.A. jointly under Rule 4(5)(a) of C.A.T(Procedure) Rules, 1987.

*Wd*

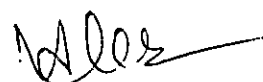
3. Heard Mr. N. Roy, Id. counsel for the applicants and Mr. K. Prasad, Id. counsel for the respondents.

4. Having heard Id. counsel for both sides, the M.A. for joint prosecution is allowed.

5. So far as the O.A. is concerned, Mr. N. Roy, Id. counsel for the applicants submitted that though the applicants filed detailed representations to the Respondents No. 2 and 4 dated 26.02.2018, 15.02.2018, 13.03.2018 and 17.02.2018 (Annexure A/7 collectively) ventilating their grievances therein, they received no response to the same till date. Mr. Roy further submitted that the applicants would be satisfied for the present if a direction is given to the Respondent No.2 i.e. the Chief Postmaster General, Yogayog Bhawan, Kolkata or the Respondent No.4 i.e. the Senior Superintendent of Post Offices, South Hooghly Division, Serampore to consider and dispose of the representations of the applicants annexed as Annexure A/7 collectively as per rules within a specific time frame.

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

7. Accordingly the Respondent No.2 i.e. the Chief Postmaster General, Yogayog Bhawan, Kolkata or the Respondent No.4 i.e. the Senior Superintendent of Post Offices, South Hooghly Division, Serampore is directed to consider and dispose of the representations of the applicants annexed as "Annexure A/7" by passing a well reasoned order as per rules and regulations governing the field within a period of six weeks from the date of receipt of this order and

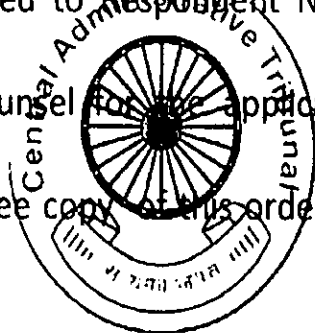


communicate the result to the applicants forthwith. After such consideration if the grievance of the applicants is found to be genuine, then the respondents shall take expeditious steps for granting the consequential benefits to them within a further period of six weeks from the date of taking decision in the matter.

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

9. With the aforesaid observations and directions, the O.A. is disposed of at the stage of admission itself.

10. As prayed by Id. counsel for the applicants, a copy of this order along with the paper book be transmitted to Respondent No.2 and 4 by the Registry by speed post for which Id. counsel for the applicant shall deposit the cost by Monday i.e. 23.07.2018. A free copy of this order may also be given to the Id. counsel for the respondents.



( A. K. Patnaik )  
Judicial Member