

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

LIBRARY

No. OA 350/1032/2017
MA 350/596/2017

Date of order : 22.5.2018

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

CHINMOY ROY

S/o Ganesh Ch.Roy
GDSBPM Patpishu Branch Office
R/o Chhoto Sopul Mori,
PO - Subo Charir Patt,
PS - Dinhata, Dist. - Cooch Behar,
Pin - 736135.

...APPLICANT

VERSUS

1. Union of India, through
The Secretary,
Ministry of Communication,
Dak Bhawan,
New Delhi.

2. The Director of Post Offices,
Siliguri Region,
Siliguri,
Pin - 734001.

3. The Superintendent of Post Office
(Disciplinary Authority),
Cooch Behar Division,
Cooch Behar.
Pin - 736101.

4. The Sub-Divisional Inspector
Of Post Offices,
Cooch Behar,
East Sub Division,
Cooch Behar,
Pin - 736101.

5. Inquiry Officer (S.Biswas)
Assistant Superintendent of
Post Offices (HQ)
Cooch Behar Division,
Cooch Behar
Pin - 736101.

...RESPONDENTS.

For the applicant : Mr.A.P.Deb, counsel

For the respondents: Mr.S.Paul, counsel

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O R D E R (ORAL)

Per Ms. Manjula Das, Judicial Member

By making this OA the applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs :

- a) To direct the respondent to reinstate the applicant to his former post and not to treat the period of put off duty as if nothing had happened and to pay all accrued arrears of pay with consequential benefits with interest;
- b) To declare the order of put off duty dated 1.4.2013 passed by the Sub Divisional Inspector of Post Offices, Cooch Behar, has cease to be effective on expiry of 15 days under Rule 9(1) put off duty;
- c) To resin and quash the order of removal passed by the disciplinary authority dated 24.12.2014;
- d) To quash and resin the charge sheet dated 19.6.2014;
- e) To quash and resin the inquiry proceedings and its report dated 29.10.2014;
- f) Costs or incidental to and arising out of this application;
- g) Any other order or orders as your Lordships may deem fit and proper by way of moulding the reliefs.

2. We have heard Mr. A.P. Deb, Id. Counsel appearing on behalf of the applicants and Mr. S. Paul, Id. Counsel appearing on behalf of the respondents.

3. At the outset Id. Counsel for the applicant submitted that the applicant was engaged in the post of GDSBPM Patpishu Branch Office, Cooch Behar. He was placed under put off duty by order dated 1.4.2013 w.e.f. 1.2.2013. Charge sheet was issued and inquiry officer was appointed on 19.6.2014. On 24.12.2014 the Disciplinary Authority passed the order of removal from service. The applicant filed an appeal before the Appellate Authority on 13.2.2015 (Annexure A/5) which is still pending. Accordingly the Id. Counsel for the applicant submitted that at this stage, the applicant will be satisfied if the respondent authorities are directed to consider and dispose of the appeal dated 13.2.2015 within a specific time frame.

Ld. Counsel for the respondents has no objection if such prayer is allowed.

4. By accepting the prayer made by the Id. Counsel for the applicant, we direct the respondent authorities to dispose of the pending appeal dated 13.2.2015 (Annexure A/5) within a period of three months from the date of

receipt of the copy of this order. The decision so arrived at shall be a reasoned and speaking one and communicated to the applicant forthwith.

5. With the above observation and direction the OA stands disposed of. MA also stands disposed of. No order as to costs.

(DR. NANDITA CHATTERJEE)
ADMINISTRATIVE MEMBER

(MANJULA DAS)
JUDICIAL MEMBER

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