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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No. 350/1148 of 2017

Kausik Banerjee,
son of Sukumar Banerjee , aged
about 32 years, Ex.G.D.S.M. Jagalgori
Branch Post Office, under Senior
Superintendent of Post Offices,
South Hooghly Division, Serampore,
Dist. Hooghly, residing at Village.
Gopinagar, P.O. Khamarchandi,
P.S. Haripal, Dist. Hooghly,
Pin Code - 712405.

.... Applicant

Versus.

1. Union of India, service through
the Secretary, Department of Post,
Ministry of Communication, Dak
Bhavan, New Delhi- 110001.
2. The Chief Post Master General,
Yogayog Bhavan, 12, C.R. Avenue,
Kolkata- 700 012.
3. Senior Superintendent of Post
Offices, South Hooghly Division,
P.O. Serampore, Dist. Hooghly,
Pin- 712201.

contd., 2

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4. Inspector of Posts,
Tarakeswar Sub. Division, P.O. &
P.S. Tarakeswar, Dist. Hooghly,
Pin. 712410.

..... Respondents

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No.O.A.350/1148/2017

Date of order : 18.09.2017

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

Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

For the applicant : Mr. T.K. Biswas, counsel

For the respondents : Ms. D. Nag

ORDER (ORAL)

Mr. A.K. Patnaik, J.M.

The instant O.A. has been filed by the applicant under Section 19 of the Central Administrative Tribunals Act, 1985 seeking the following reliefs:-

"a) An order directing the respondents to consider the representation dated 6.7.2017(Annexure A-3) and pass appropriate order within specific time and thereafter further directing the respondents to give temporary status in favour of the applicant and thereafter consider the regular appointment at any group "D" post in the department;

b) Pass such other or further order or orders as to Your Lordships may deem fit and proper."

3. Heard Mr. T.K. Biswas, Id. counsel for the applicant and Ms. D. Nag, Id. counsel for the respondents.

4. Mr. T.K. Biswas, Id. counsel for the applicant submitted that the applicant has made a representation to the Chief Post Master General, Yogayog Bhavan, 12, C.R. Avenue, Kolkata-700012(Respondents No.2), Senior Superintendent of Post Offices, South Hooghly Division, Serampore, Hooghly(Respondent No.3)and Inspector of Posts, Tarakeswar Sub-Division, Tarakeswar, Hooghly(Respondent No.4) seeking regularisation at any Group 'D' post in the department on 06.07.2017(Annexure A/3 to the O.A.), but his representation has not been

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considered till today. Mr. Biswas further submitted that the applicant served the department from 2004 to 2017 sincerely and worked for more than 240 days in a year, therefore, he is entitled to get an employment in Group 'D' post on regular basis. Mr. Biswas also submitted that the applicant would be satisfied if a direction is given to the respondents to consider and dispose of his representation dated 06.07.2017 by passing a speaking order as per rules within a time frame.

5. Having heard Id. counsel for both sides and after considering the facts and circumstances of the case, we think it would not be prejudicial to either of the sides if a direction is given to the Chief Post Master General, Yogayog Bhavan, 12, C.R. Avenue, Kolkata-700012(Respondents No.2), Senior Superintendent of Post Offices, South Hooghly Division, Serampore, Hooghly(Respondent No.3)and Inspector of Posts, Tarakeswar Sub-Division, Tarakeswar, Hooghly(Respondent No.4) to consider and dispose of the representation of the applicant as per rules within a time frame. Therefore, without waiting for reply we direct the Respondent No.2,3 and 4 to consider and dispose of the representation of the applicant dated 06.07.2017(Annexure A/3 to the O.A.)as per the rules and regulations in force by passing a well reasoned order within a period of four weeks, if such representation is lying pending for consideration and communicate the decision to the applicant forthwith. After such consideration, if the applicant's claim is found to be genuine, then expeditious steps may be taken by the respondents to extend the consequential benefits to the applicant within a period of six weeks from the date of taking decision in the matter.

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6. It is made clear that we 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.
7. A copy of this order along with the paper book may be transmitted to the Respondent No. 2, 3 and 4 by the Registry for which Mr. Biswas, Id. counsel for the applicant shall deposit the cost by 22.09.2017.
8. With the above observations the O.A. is disposed of. No order as to cost.

(Dr. N. Chatterjee)
Administrative Member

(A.K. Patnaik)
Judicial Member

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