



29

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

-----

O.P. 1182/2007  
through the  
Ministry of Communication

Dak Bhawan

Sri Chhoton Das son of Sri Gadai  
Das aged about 27 years, residing  
at Vill. Sehalai, Darpasila Bolpur,  
District Birbhum 731 204 P.S.  
Panrui working as Postman,  
Santinekatan Post Office, of P.S.  
Dak Bhawan, Santinekatan, Birbhum

...      ...      Applicant

-Versus- Mr. Santinekatan

1. Union of India through the  
Secretary, Ministry of Communication  
Department of Post, <sup>Reagan</sup> Dak-Bhawan,  
New Delhi 110 001.

2. The Chief Postmaster General,  
West Bengal Circle, Yogayag Bhawan,  
Kolkata - 700 012.

3. The Superintendent of Post-  
offices, Birbhum Division,  
Suri 731 101.

4. The Postmaster, Santinekatan  
Sub-Postoffice, Santinekatan 731233.

...      ...      Respondents

...2

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH**

No. OA 350/1182/2017

Date of order : 29.8.2017

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

For the applicant : Mr.B.K.Chatterjee, counsel

For the respondents : Ms. D.Nag, counsel

**O R D E R**

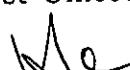
**Mr.A.K.Patnaik, J.M.**

Heard Mr.B.K.Chatterjee, Id. Counsel appearing for the applicant and Ms. D.Nag, Id. Counsel appearing for the respondents.

2. This OA has been filed by the applicant under Section 19 of the A.T. Act, 1985 seeking the following relief :

- a) for an order quashing and/or setting aside the "impugned" purported decision vide memo dated 25.7.2017 made Annexure A/8 to this application;
- b) for an order directing the respondents not to interfere with the services of the applicant in the post of Postman in Santiniketan S.O. and allow to continue to perform the duties in the post of Postman;
- c) for an order directing the respondents to produce the entire records relating to the case;
- d) to pass such other or further order or orders as to this Hon'ble Tribunal may deem fit and proper;
- e) for costs of as incidental to this application.

3. As per the Id. Counsel for the applicant the sum and substance of the OA is that the applicant successfully passed in the Departmental Competitive Examination restricted to GDS for filling up regular vacancy of Postman cadre pertaining to the year 2016-17 (from 1.4.2016 to 31.3.2017) held on 18.12.2016 pursuant to the notification dated 31.10.2016, after having approval from the Chief Postmaster General, West Bengal Circle and underwent practical and inhouse theoretical training for 12 working days. He was selected and appointed by the Superintendent of Post Offices, Birbhum



Division as Postman. The posting and appointment letter was issued by memo dated 14.2.2017. On 21.2.2017 the applicant joined service as Postman in Santiniketan Sub Post Office against an existing regular vacant post of Postman. Since then he was working. All of a sudden on 21.7.2017 the applicant received a letter dated 21.7.2017 from the office of Superintendent of Post Offices, Birbhum Division intimating him that his appointment has been terminated without any rhyme or reason. Being aggrieved the applicant has approached this Tribunal in the instant OA.

4. I find that the applicant has not ventilated his grievance before any appropriate authority. Therefore in my considered view the OA is liable to be dismissed being hit by Section 20 of A.T.Act, 1985.

5. However, Mr.Chatterjee fairly submitted that the applicant wants to make a comprehensive representation within a period of 2 weeks to the Chief Post Master General, respondent No.2 and some interim protection may be granted to the applicant.

6. In view of such submission, the OA is disposed of at the admission stage by allowing the applicant to make a comprehensive representation addressed to respondent No.2. Therefore I cannot pass any interim order. However, I hope and trust that if any such comprehensive representation is preferred by the applicant, respondent No.2 shall consider the same keeping in mind the rules and regulations governing the field and dispose it of by passing a well reasoned and speaking order and communicate the same to the applicant within 6 (six) weeks from the date of receipt of this order and till such time status quo so far as continuance of the applicant is concerned, will be maintained and respondent No.2 will allow the applicant to continue in the said post.

6. As the matter is disposed of at the admission stage itself, therefore I have not entered into the merits of the case.

7. With the aforesaid observation and direction the OA is disposed of at the admission stage itself. No costs.

8. As prayed for by Mr.Chatterjee, a copy of this order along with the paper book of this OA be transmitted to respondent No.4 by Speed Post for which he



will deposit the cost with the Registry within a period of one week. A free copy of this order be handed over to Ms. D.Nag, Id. Counsel for the respondents.

(A.K.PATNAIK)  
MEMBER (J)

in