

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

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O.A/350/1223/2014

Date of Order: 21.03.2018

Coram : Hon'ble Manjula Das, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Shri Anup Kumar Chakraborty, son of late Phanindra Nath Chakraborty, Retired Assistant Superintendent of Post Offices, Nadia South Division, Kalyani, residing at 78, Purbayan, 3, Rifle Range Road, P.O Belgharia, Kolkata - 700056.

-----Applicant

-vs-

1. Union of India through the Secretary to the Govt. of India, Ministry of Communication, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi - 110116.
2. The Chief Post Master General,
West Bengal Circle, Yogayog Bhawan,
C.R Avenue, Kolkata - 700012.
3. The Superintendent of Post Offices, Nadia South Division, Kalyani, Nadia,
Pin : 741235.

-----Respondents

For the Applicant : Mr. S. Samanta, Counsel
: Mr. J.R Das, Counsel
: Mr. P.K Mondal, Counsel

For the Respondents : Ms. R. Basu, Counsel

O R D E R (Oral)

Per: Ms. Manjula Das, Judicial Member:

Mr. S. Samanta, Id. Counsel assisted by Mr. J.R Das and Mr. P.K Mondal appeared on behalf of the applicant. Ms. R. Basu, Id. counsel appears on behalf of the respondents.

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

- a) An order holding that in view of the facts and circumstances of the case the applicant is entitled to reinstatement by treating his voluntary retirement as withdrawn in pursuance of his representation dated 10.03.2014.

- (b) An order directing the authority concerned/respondent concerned to withdraw the Memo dated 25.09.2013 and directing him to reinstate the applicant in service by treating his voluntary retirement as withdrawn.
 - (c) Any order directing the respondents to grant all consequential benefits to the applicant.
 - (d) Any other order or further order/orders as to this Hon'ble Tribunal may seem fit and proper.
- 3: Ld. Counsel for the applicant submits that at this stage the applicant will be satisfied if a direction is given to the respondent authorities to consider and dispose of the representation dated 10.03.2014 within a specific time frame. Ld. Counsel for the respondents has no objection if such prayer is allowed.

4. In view of the foregoing discussion, we disposed of the O.A by directing the respondent authority to send the entire records before the respondent No. 1 i.e Ministry of Communication, Department of Posts within a period of 2 months from the date of receipt of the order. On receipt of such entire records, Respondent No. 1, shall treat the same as a comprehensive representation preferred by the applicant and decide the matter as per Rule 88 of CCS Pension Rules 1972 within a period of four months thereafter. It is made clear that whatever decision arrived by the competent authority that must be a speaking one by assigning reason thereof with an opportunity of being heard ^{to} the applicant. The decision so arrived shall be communicated to the applicant, as well as the Respondent No. 2 accordingly.

5. With the above observation directions, the O.A stands disposed of. No costs.

(Dr. Nandita Chatterjee)
Member (A)

(Manjula Das)
Member (J)

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