

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No. O.A. 350/1278/2017  
M.A. 350/773/2017

Date of Order: 20.03.2018

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

Biswajit Dolai, son of Gopal Ch. Dolai,  
working as ex-GDSBPM at Midnapur  
Division of Village- Heria, Post Office-  
J.N. Chary, Pin- 721150, Dist-Midnapur(W).

.....Applicant.

-versus-

1. The Union of India, service through the  
Secretary, M/O Communication, Dept. of  
Post, "Dak Bhawan", New Delhi- 110001.
2. The Principal Chief Post Master General,  
West Bengal Circle, Dak Bhawan,  
Chittaranjan Avenue, Kolkata- 700 012.
3. The Senior Superintendent of Post Office,  
Midnapore Division, Office at Midnapore,  
District- Midnapore, Pin- 721101.

.....Respondents.

For the Applicant : Mr. U. Roy, Counsel  
Mr. U. Banerjee, Counsel

For the Respondents : Mr. P. Mukherjee, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Heard both counsels for the applicants and respondents.

2. The applicant had approached before the Tribunal under Section 19 of the AT  
Act, 1985, seeking the following reliefs:

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"8(a) To resume his duties as earlier to the applicant for the post of Gramin Dak Sevak Branch Post Master under the control of the respondent authorities by cancelling the previous order dated 20.08.15 passed by the concerned respondent authorities.

(b) To call upon the Principal Chief Post Master General, West Bengal Circle and also the Superintendent of Post Offices, Paschim Medinipur to produce the records of the case at the time of hearing of this application, so that upon perusal thereof conscionable justice may therein be administered to the applicant.

(c) Any other or further order or relief or reliefs be passed by this Hon'ble Tribunal which may deem fit and proper."

3. Learned counsel for applicant draws our attention to the order of the Appellate Authority who is the Director Postal Services dated 11.05.2015 (Annexure A-2 to the OA) and the order of the Revisional Authority who is the Postmaster General dated 20.08.2015 (Annexure A-4 to the OA). It is noted here that no order of Disciplinary Authority has been annexed in the OA.

Learned counsel for applicant submits that as the Revisional Authority in his orders has concluded as follows



"Being the Revisional Authority, in exercise of the power conferred upon me by Rule 19(1) ibid of GDS (C&E) Rules, 2011 confirm the order of 'removal from engagement which shall not be a disqualification for future employment'."

Ld. Counsel further submits that the applicant may be given liberty to submit a comprehensive representation before the competent authority to seek "further employment" under the respondent authority as no debarment to further employment has been confirmed by the Revisional Authority.

4. Hence, without entering into the merits of this matter, liberty is granted to the applicant to make a comprehensive representation within a period of 4 weeks from the date of receipt of a copy of this order and the concerned respondent

*[Signature]*

authority, after receipt of such comprehensive representation, may decide according to rules and regulations as applicable and pass a reasoned and speaking order within a period of 6 weeks from the date of filing of such representation. The order so passed to be communicated to the applicant immediately thereafter.

5. With this observation, the OA is disposed of. No order as to costs.

6. As the application is not being disposed of on merit, M.A. 350/773/2017 arising out of OA is also disposed of accordingly.

(Dr. Nandita Chatterjee)  
Member (A)

pd

(Manjula Das)  
Member (J)

