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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O. A. No350/01406 of 2016

Shri Samir Ranjan Ghosh son of late
Satindra Lal Ghosh, aged about 65 years
worked as Accounts Officer, SRO, Jangipur,
since retired, residing at 1/105, Bijaygarh,
P.O. Jadavpur University, Kolkata - 700032.

.... Applicant

- Versus -

1. Union of India, service through the
Secretary, Ministry of Labour &
Employment, Govt. of India, Shram Shakti
Bhavan, Rafi Marg, New Delhi - 110001.
2. Central Provident Fund Commissioner
Employees' P.F. Organization, Hed Office 14,
Vikaji Cama Place, New Delhi - 110066.
3. The Regional Provident Fund Commissioner
- I, Regional Office, Kolkata,
Employees/Provident Fund Organization, DR
Block, Sector - II, Salt Lake City, Kolkata -
700091.

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4. The Regional Provident Fund Commissioner
- I, Employees P.F. Organization, Regional
Office, Jalpaiguri, Bharishyanidhi Bhawan, &
JDA Building, Dinbazar, Jalpaiguri - 735101.
5. The Addl. Central P.F. Commissioner, West
Bengal, NER and Jharkhand, D. K. Block,
Sector - II, Salt Lake City, Kolkata -
700091.

... Respondents



O.A.No.350/1406/2016

Date : 21.12.2017

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

For the applicant : Mr. J.R. Das, counsel

For the respondents : None

ORDER

A.K. Patnaik, Judicial Member

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

"8.(i) An order directing the respondents to release all the dues of regular pension and other pensionary benefits since being due on 1.4.2011 and also his due pay and allowances from 1.12.2011 to 14.12.2011 as also his due transfer grant from Jangipur to Kolkata on superannuation with due interests thereon as decided by the Hon'ble Bench in the interest of justice.

(ii) An order directing the respondents to pay exemplary cost since caused the applicant to suffer since 1.4.2011 till date due to no fault of his own.

(iii) An order directing the respondents to cancel, rescind withdraw or set aside the purported Memorandum and the order of 'censure' since being erroneous, irrelevant and uncalled for and never communicated to the applicant.

(iv) An order directing the respondents to produce entire records of the case at the time of adjudication for conscionable justice.

(v) Any other order or further order/orders as to this Hon'ble Tribunal may seem fit and proper."

2. Heard Mr.J.R. Das, ld. counsel for the applicant. None appears for the respondents .

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3. Mr. J.R. Das, Id. Counsel for the applicant submitted that the applicant made representations to the respondent authorities on 22.02.2016 and on 08.04.2016(Annexure A/8) ventilating his grievances, but his prayer has not been considered till date. Mr. Das further submitted that the applicant would be satisfied for the present if the concerned respondent authority is directed to consider and dispose of the representation of the applicant as per rules within a specific time frame.

4. Though no notice has been issued to the respondents for filing reply, I think it would not be prejudicial to either of the sides if the concerned respondent authority is directed to consider and decide the representations of the applicant as per rules and regulations governing the field within a specific time limit.

5. Accordingly the Respondent No.3 is directed to consider and dispose of the representations of the applicant dated 22.02.2016 and 08.04.2016(Annexure A/8) by passing a well reasoned order as per rules and regulations in force within a period of six weeks from the date of receipt of this order and communicate the decision to the applicant forthwith. In case the applicant's claim is found to be genuine, the benefits claimed in the representations shall be granted to him within a further period of six weeks from the date of taking decision in the matter.

6. It is made clear that I 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. As prayed by Id. Counsel for the applicants, a copy of this order along with the paper book may be transmitted to the Respondent No.3 by speed post by the Registry for which he undertakes to deposit the cost within one week.
8. With the above observations the O.A. is disposed of. No order as to cost.

(A.K. Patnaik)
Judicial Member

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