

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



No.O.A. 350/1421/2017

Date of order :08.11.2017

Coram : Hon'ble Ms. Manjula Das, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

Shri Parimal Chandra Barman, son of
Late Satish Chandra Barman, aged
about 56 years, GDSBPM, Ruerkathi
Branch Office in account with Dewanhat
Sub Office, Pin – 736134, since been removed
from service, residing at village Kharija Bala Danga,
Post Office-Bhetaguri, Police Station-Dinhata,
District-Cooch Behar, Pin-736 134

.....Applicant

- Versus-

1. Union of India, through the
Secretary to the Govt. Of India,
Ministry of Communication & I.T.,
Department of Posts, New Delhi-110001;
2. The Chief Post Master General,
West Bengal Circle, Yogayog Bhawan,
C.R. Avenue, Kolkata-700 012;
3. Post Master General, North Bengal Division,
Siliguri, Pin-734001, West Bengal;
4. The Director of Postal Services,
Office of the PMG, North Bengal Region,
Siliguri-734001, West Bengal
5. Superintendent of Post Office,
Cooch Behar Division, Cooch Behar,
Pin-736101

..... Respondents

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

For the respondents : Mr. P. Mukherjee, counsel

ORDER (ORAL)

Ms. Manjula Das, Judicial Member

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 dispose of the appeal to the appellate authority made by the applicant on 27.12.2016 and reminder sent on 08.08.2017 thereafter;

b) An order directing the respondents to cancel, rescind, withdraw or set aside the purported show cause dated 13.10.2014, put off duty order dated 11.11.2014, charge memorandum dated 09.12.2014, inquiry process and inquiry report dated 13.01.2015, undue punishment order dated 28.08.2015 since imposed without due application of mind;

c) An order directing the respondents to allow the applicant to be reinstated at existing pay and status on immediate basis considering the period since 11.11.2014 as on duty for all practical purposes and pay all difference of pay and allowances within no time;

d) An order directing the respondents to dispose of the representation made by the applicant from time to time in the interest of justice;

e) An order directing the respondents to produce/cause production of all relevant records with copy to the Learned Advocate for the applicant for conscionable justice;

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

2. We have heard Id. counsel for both sides and perused the materials placed on record.

3. The respondents have not yet filed any reply.

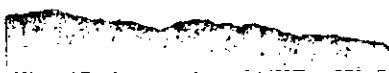


4. The Id. counsel for the applicant submits that the applicant has filed an appeal against the order of punishment imposed upon him on 27.12.2016 followed by a reminder dated 08.08.2017(Annexure A/9), but that has not been considered and disposed of by the Appellate Authority till date. He further submits that he would be satisfied if a direction is given to the authority concerned to decide the appeal of the applicant dated 27.12.2016 as per rules within a stipulated period. Ld. counsel for the respondents has no objection to such prayer.

5. Accordingly, the concerned Appellate Authority is directed to consider and dispose of the appeal of the applicant dated 27.12.2016(Annexure A/9 to the O.A.) as per rules and pass a reasoned and speaking order within a period of four months from the date of receipt of this order. The decision so arrived at will be communicated to the applicant forthwith.

6. It is made clear that we have not gone into the merits of the case and all the points raised in the appeal are kept open for consideration by the Appellate Authority.

7. With the aforesaid observations and directions, the O.A. stands disposed of. No order as to costs.



(JAYA DAS GUPTA)
Administrative Member



(MANJULA DAS)
Judicial Member