

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

Original Application No. 1449 of 2016

Bidhan Chandra Roy

Son of late Mrityunjoy Roy, Ex-GDSMD,

Kaluha, B.P.O (Branch office)

Residing at Village and Post Office: Kaluha
via Baswa Police Station:

District: Birbhum, PIN Code-731202

... Applicant

-Versus-

1. Union of India

Service through the Secretary, Department
Of Post under Ministry of Communication
and Information Technology, New Delhi-1

2. The Superintendent of Post

Birbhum Division, Post Office and Police
Station- Suri, PIN Code-731101

3. The Chief Post Master General

West Bengal Circle, Yogayog Bhawan
Kolkata-700 012

4. The Circle Relaxation Committee

Service through the Chief Post Master
General, as Chairman

West Bengal Circle, Yogayog Bhawan

Kolkata-700 012

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5. The Assistant Director of Postal
Services (Rectt)

Office of the Chief Postmaster General

West Bengal Circle, Kolkata-700012

... Respondents

Will

No. O.A. 350/01449/2016
 M.A. 350/00406/2017
 M.A. 350/00407/2017

Date of order: 30.8.2017

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

For the Applicant : Mr. S.S. Roy, Counsel

For the Respondents : Mr. M.K. Ghara, Counsel

ORDER (Oral)

A.K. Patnaik, Judicial Member:

Heard Mr. S.S. Roy, Ld. Counsel for the applicant and Mr. M.K. Ghara, Ld. Counsel for the official respondents.

2. The M.A. filed under Rule 4(5)(a) for joint prosecution is allowed.

The M.A. for addition of party is also allowed.

3. This OA has been filed by Subrata Basak challenging letter No. SFB/CRC/GDS/2014 dated 12.2.2015 and also impugned memo No.

B-9/Relax/GDS/M.Roy/124 dated 12.3.2015 issued by the respondent No.

2 whereby the applicant was informed that his application for compassionate appointment has been rejected. This O.A. has been filed praying for the following reliefs:

- "a) Directing the Circle Relaxation Committee to enlist Your Applicant's name in the selection list and approve the same for appointment under Died in Harness Category and further direct to issue appointment letter to your Application within a reasonable time.
- b) Directing the respondent authorities, particularly the respondent No. 4, the Circle Relaxation Committee herein to produce or cause to be produce the Original record before this Tribunal.
- c) Costs;
- d) Any other or further order or orders to which the applicant may be found entitled by this Learned Tribunal."

3. The facts in a nut shell as per Mr. S.S. Roy, Ld. Counsel for the applicant are that the applied for appointment under died-in-harness category but the Circle Relaxation Committee did not grant him appointment though they granted appointment to four other candidates. As

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per the applicant those candidates who earned lesser marks than the applicant have been granted appointment whereas his case has been rejected.

4. Mr. Roy, Ld. Counsel for the applicant submitted that the grievance of the applicant would be more or less addressed if a specific order is passed by directing the concerned authority i.e. respondent Nos. 2 & 5 to consider the case of the applicant as per official letter dated 23.6.2016 within a specific time frame.

5. Therefore, I dispose of this O.A. by directing the respondent No. 2 to act upon the letter dated 23.6.2016 within a period of four weeks and communicate the decision taken to respondent No. 5 from the date of receipt of this order.

6. Though I have not entered into the merits of the case still then I hope and trust that after such consideration if the applicant's grievance is found to be genuine then expeditious steps may be taken by the concerned respondent No. 2 from the date of such consideration to provide compassionate appointment to the applicant within six weeks from the date of receipt of a copy of this order.

7. The respondent No. 5 is directed to act upon the decision of respondent No. 2.

8. With the aforesaid observation and direction, the O.A. is disposed of.

(A.K. Pattnaik)
Judicial Member