



OA/350/1456/2018

An application under Section 19 of the Administration Tribunal's Act, 1985

B E T W E E N

Moumita Sengupta (Gone), wife of
Atanu Gone, aged about 34 years,
working as PA/SBCO at Belgharia
H.O., residing at Vill. & P.O.
Malancha Bazar, Dist.-North 24
Parganas. Pin Code-743425.

.... Applicant.

AND

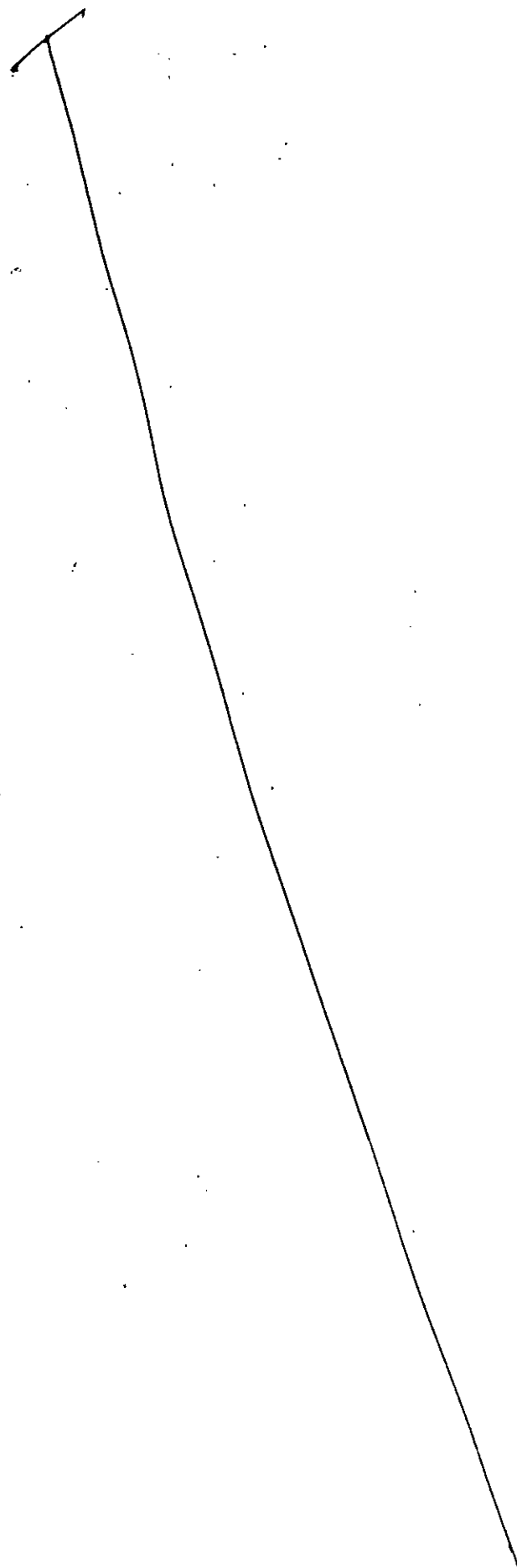
1. Union of India, service
through the Secretary, Ministry of
Telecommunication, Department of
Posts, Dak Bhavan, New Delhi-100
001.
2. The Chief Post Master General
Yogayog Bhavan, C.R. Avenue,
Calcutta -700 012.
3. The Director of Postal
Services, Kolkata Region, Office of
The Post Master General, Yogayog
Bhavan, C.R. Avenue, Calcutta -
700 012.
4. The Senior Superintendent of
Post Offices, North Presidency

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Division, Barrackpore, Kolkata-
700120.

.... Respondents.

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1456/2018

Date of Order: 27.09.2018

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

For the Applicant(s): Mr A. Chakraborty , Counsel

Ms. P. Mondal, Counsel

For the Respondent(s): Mr. P. Mukherjee

ORDER (ORAL)

Mr. A.K Patnaik, Member (J):

Heard Ld. Counsel appearing for both the parties.

2. This O.A has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- i) Charge Sheet vide Memo No. B/M-181/Disc./2016 dated 30.09.2016 issued by the respondent No.4 is bad in law and as such the same should be quashed.
- ii) Office order of Punishment being Memo No. B/M-181/Disc./2016 dated 13.09.2018 issued by the Senior Superintendent of Post Offices, North Presidency Division, Barrackpore is bad in law and as such the same should be quashed;
- iii) Costs of and incidental to this application;
- iv) Pass such further or other order or orders.

3. Brief facts of the case of the applicant, who was working as Postal Assistant/SBCO at Belgharia H.O., are that she was issued with a Memo dated 30.09.2016 (Annexure-A/1) on account of various misconduct. On culmination of inquiry, she has been issued with the punishment order dated 13.09.2018 (part of Annexure-A/3) for recovery an amount of Rs. 5,00,000/-.

4. It is submitted by the Ld. Counsel for the applicant that against the aforesaid punishment order the applicant has preferred an appeal on 19.09.2018 (part of Annexure-A/3) before Director of Postal Services, Kolkata Region (Respondent No.3). Ld. Counsel for the applicant submitted that the grievance of the applicant may be redressed if the said Respondent No.3 is directed to consider the appeal within a specific time frame.

5. Having heard Ld. Counsel for the applicant, without entering into the merit of the matter, I dispose of this O.A. by directing the Respondent No.3 to consider the appeal dated 19.09.2018 of the applicant, if the same has been preferred and is still pending consideration, and pass a reasoned and speaking order within a period of

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six weeks from the date of receipt of copy of this order. It is made clear that till the representation is considered and result communicated to the applicant, no further recovery will be made from the applicant. I also make it clear that if in the meantime the appeal of the applicant has already been disposed of then the result thereof be communicated to her within a period of two weeks.

6. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

7. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook, be transmitted to Respondent No. 3, for which, he undertakes to deposit the cost with the Registry within a week.

8. Copies of this order be handed over to Ld. Counsel for both parties.

(A.K Patnaik)
Member (J)

RK/PS

