

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

M.A 350/92/2016

Date of Order: 07.05.2018.

O.A/350/2026/2015

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member

Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Sri Chandra Kanta Palodhi, S/O Sri Ananda Mohan Palodhi aged about 33 years, working as Inspector of Posts Arambag Sub-Dn, P.O Arambagh, Pin – 712601, Dist- Hooghly, residing at Ward No. 6, Basudebpur Post Arambag, Pin – 712601, Dist- Hooghly.

-----Applicant

1. The Union of India service through Secretary, Govt. of India, Ministry of Communication, Department of Posts, Dak Bhawan, New Delhi – 110116
2. The Post Master General, South Bengal Region Yogayog Bhawan, Kolkata – 700012.
3. The Director of Postal Services, South Bengal Region Yogayog Bhawan, Kolkata – 700012.
4. The Superintendent of Post Offices North Hooghly Division Town Guard Road Post Chinsura Pin – 712101. Dist- Hooghly.

---Respondents

FOR THE APPLICANT(S): Mr. A. Chakraborty, Counsel

: Ms. P. Mondal, Counsel

FOR THE RESPONDENT(S): Mr. P. Pramanik, Counsel

ORDER (ORAL)

Per: Ms. Bidisha Banerjee, Member (J):

Ld. counsel for both parties are present and heard.

2. It appears that the applicant was charge sheeted and the departmental proceeding culminated to a penalty of removal, which was subsequently modified to reduction on pay of the applicant to a lower stage in pay band (Pre-revised, as per 6<sup>th</sup> CPC by three stages for a period of five years with

further direction that he would not get increment of pay during the period of such reduction and on expiry of such period the reduction would have the effect of postponing the future increments of his pay. The applicant is aggrieved as the period that he spent on suspension has not been regularized.

3. We find that no representation has been preferred to the authorities seeking regularization of the said period and therefore no decision has been taken by the authorities on the same. Therefore, we are not in a position to adjudicate the issue in the present O.A.

4. Accordingly, the O.A is disposed of with a liberty to the applicant to prefer a representation to the appropriate authority within a period of 15 days from the date of receipt of a copy of this order seeking regularization as he feels to be entitled to. Upon receipt of such representation, the appropriate authority shall consider the same in the light of the rules operating in the field and take a decision within 2 months thereafter in accordance with law. In case the authority feels that the applicant is entitled to his salary for the said period, when he was on suspension, the authorities shall release appropriate benefits within one month thereafter.

5. It is made clear that we have not gone into the merits of the matter and therefore all points are kept open for the appropriate authority to decide.

6. The O.A is accordingly disposed of with the consent of both the parties. Consequently, M.A stands disposed of too. No costs.

(Nandita Chatterjee)  
Member (A)

(Bidisha Banerjee)  
Member (J)