

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH



No. O.A. 350/00235/2017

Date of order: 24.2.2017

Present : Hon'ble Mr. A.K. Patnaik, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

Anup Kumar Halder,
Son of Late Ajit Kumar Halder,
Aged about 46 years,
Working as PA under SPOS, MG Gram Post Office,
Residing at Duttapukur Hospital Road,
Post Office and P.S. – Duttapukur (N) 24 Parganas,
Pin – 743248, West Bengal.

.. Applicant

- V E R S U S -

1. The Union of India,
Through the Manager,
Secretary Ministry of Communication,
Department of Posts,
Dak Bhawan,
New Delhi 1.
- ii. Chief Post Master General,
Yogayog Bhavan,
C.R. Avenue,
Kolkata – 12.
- iii. The Director of Postal Services,
Kolkata Region,
Kolkata – 700 012.
- iv. The Superintendent of Post Offices,
Barasat Division, Barasat,
Kolkata – 700124.

.. Respondents

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. B.P. Manna, Counsel

ORDER (Oral)

Per A.K. Patnaik, Judicial Member:

Heard Mr. A. Chakraborty, Ld. Counsel for the applicant and Mr. B.P.

Manna, Ld. Counsel for Union of India.

serious objection about maintainability of the O.A. stating therein that it is quite premature. A minor penalty punishment has been imposed upon the applicant and he has preferred an appeal under Rule 23(ii) of the CCS (CCA) Rules, 1965 against a recovery order passed by the authorities only on 18.2.2017. Without giving an opportunity to the Appellate authority to dispose of the appeal he has filed this O.A. on 22/2/2017 i.e. only after 4 days of preferring the appeal. Hence, the Ld. Counsel for the respondents submits that this O.A. is quite premature.

3. Mr. Manna also brought to our notice that the applicant has preferred the appeal on 18.2.2017, which has been received by the department on 22.2.2017 only two days back and hence it can be presumed that the applicant did not give the respondents the breathing time to dispose of his appeal. Hence this O.A. should be dismissed at the threshold.

4. On the other hand, Mr. Chakraborty submitted that the applicant's take home salary is Rs. 41,000/- and an amount of Rs. 20,000/- is going to be deducted every month. Hence the applicant had to rush to this Tribunal for redressal of his grievance.

5. Therefore, without entering into the merits of this case, we dispose it of being premature with a direction to the applicant to canvass the points raised in the appeal before the appellate authority and it is within his domain to redress his grievance.

6. The applicant is also at liberty to supply copy of this order to the concerned respondent.

7. The O.A. is accordingly disposed of being premature. No costs.

(Jaya Das Gupta)
Administrative Member
SP

(A.K. Patnaik)
Judicial Member