

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 350/327/2017

Date of order : 5.5.2017

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

LIBRARY

SUNIL BISWAS,
S/o Late Anil Chandra Biswas,
R/o Vill Muzaffar Colony,
P.O.- Bethuadahari,
P.S.- Nakashipara,
Dist.- Nadia,
West Bengal,
Pin - 741126.

...APPLICANTS

VERSUS

1. Union of India, through
Secretary,
Bharat Sanchar Nigam Limited,
Having office at Stateman House,
Barakhamba Road,
Connaught Place,
New Delhi - 110001.
2. The Chief Managing Director,
Bharat Sanchar Nigam Limited,
Having office at Harish Chandra Mathur Lane,
Janapath Road, Janapath,
New Delhi - 110001
3. The Chief Geneal Manger,
Bharat Sanchar Nigam Limited,
West Bengal Telecom Circle,
1 No. Council House Street,
Kolkata - 700001.
4. The Asst. Director,
Bharat Sanchar Nigam Limited,
West Bengal Telecom Circle,
1 No. Council House Street,
Kolkata - 700001.
5. The General Manager,
Telecom,
Krishnagar Telecom District,
Krishnagar,
Dist.- Nadia,
Pin - 741101.
6. The Asst. General Manager,
(HIR & ADMN/K&H/BSNL),
Office of the GMT,
Krishnagar,
Nadia,
Pin - 741101.

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7. The Sub-Divisional Engineer,
Bharat Sanchar Nigam Limited,
Bethuadahari,
Dist. - Nadia,
Pin - 741101.

....RESPONDENTS.

For the applicants: Mr.N.C.Saha, counsel

For the respondents: Mr.R.Mukherjee, counsel

O R D E R (ORAL)

A.K.Patnaik, J.M.

Heard Mr.N.C.Saha, 1d. Counsel appearing for the applicants and Mr.R.Mukherjee, 1d. counsel appearing for the departmental respondents.

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

- a) To issue an appointment letter to the applicant forthwith on compassionate round (in die in harness category) in any post in place of his deceased father who died in harness;
- b) To issue further direction upon the respondents to keep one vacancy in any post on compassionate ground till the disposal of this application;
- c) To issue any other order or orders as this Hon'ble Tribunal deems fit and proper.

3. As per the 1d. Counsel for the applicants the sum and substance of the OA is that the applicant, being the only son of Late Anil Chandra Biswas who was working in the post of Telephone Mechanic, Bharat Sanchar Nigam Limited and died while in service, is entitled to appointment on compassionate ground. The applicant submitted all relevant documents with regard to the claim of appointment on compassionate ground before the respondent authorities but till date he has received no reply from the respondent authorities. Hence the applicant has approached this Tribunal in the instant OA.

4. Mr.Saha submitted that the grievance of the applicant will be more or less redressed if the respondents are directed to consider and dispose of the representation dated 5.12.16 preferred by the applicant addressed to respondent No.5 within a specific time frame.



5. We do not think it will be prejudicial to either sides if this OA is disposed of at the admission stage itself by directing the respondent No.5 to consider the representation dated 5.12.16 stated to have been preferred by the applicant as per rules and regulations in force and communicate the result thereof to the applicants by way of a well reasoned order, within one month from the date of such consideration.

6. Therefore without entering into the merit of the case we dispose of the instant OA at the admission stage itself with a direction to the respondent No.5 to consider the appeal dated 5.12.16 stated to have been preferred by the applicant as per rules and regulations and dispose it of by passing a well reasoned and speaking order and communicate the same to the applicant within one month from the date of receipt of this order.

7. Though we have not expressed any opinion on the merit of the matter and all the points to be raised in the representation stated to have been preferred by the applicant, are kept open for the said respondent No.5 to consider the same as per the rules and regulations in force, still then we hope and trust that after such consideration if the applicant's grievance is found to be genuine then expeditious steps may be taken within a further period of three months from the date of such consideration to redress his grievance.

8. With the above observation and direction the OA is disposed of. No costs.

9. As prayed for by Mr.Saha, a copy of this order along with the paper book of this OA be transmitted to respondent No.5 by Speed Post for which he will deposit the cost with the Registry within a period of one week.

(JAYA DAS GUPTA)
MEMBER (A)

(A.K.PATNAIK)
MEMBER (J)

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