

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 040/00330/2015

Date of Decision: 19.02.2019

THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER

THE HON'BLE MR. NEKKHOMANG NEHSIAL, ADMINISTRATIVE MEMBER

Shri Nripen Chandra Nath
PA, Lumding MDG (designate)
Resident of Vill – Ghumatigaon
PO – Kapahera, Via – Raha SO
Dist. – Nagaon (Assam)

...Applicant

By Advocates: Mr. M. Chanda, Mrs. U. Dutta & Ms. S. Begum

-Versus-

1. The Union of India
Represented by the Secretary to
The Government of India
Department of Post
Ministry of Communication
North Block, New Delhi – 110001
2. The Chief Post master General
Assam Circle, Meghdoot Bhavan
Guwahati – 781001, Assam
3. The Superintendent of Posts
Nagaon Division, Nagaon – 782001.

...Respondents

By Advocate: Mr. S. K. Ghosh, Addl. CGSC

ORDER (ORAL)**MANJULA DAS, JUDICIAL MEMBER:**

By this O.A. applicant makes a prayer to direct the respondents to treat the period of alleged absence w.e.f. 22.05.2013 to till the date of joining at Lumding MDG on 15.02.2014 as spent on duty, in terms of interim order dated 22.05.2013 passed by this Tribunal in O.A. No. 133 of 2013, which was remained in force even after disposal of the said O.A. No. 133 of 2013 vide judgement and order dated 14.08.2013 by this Tribunal.

2. The main plank of argument of Mrs. U. Dutta, learned counsel for the applicant is that in view of interim order passed by this Tribunal vide order dated 22.05.2013 and the subsequent judgment and order dated 14.08.2013 passed in O.A. No. 133/2013 which has attained finality, the respondents are duty bound to treat the period of alleged absence of the applicant w.e.f. 22.05.2013 to till the date of joining at Lumding MDG i.e. on 15.02.2014 as spent on duty, however, the respondents have not regularised the same till date. Representation in that regard had been made on 29.06.2014 which is still pending with the respondent authorities for the reasons best known to them.

3. On query, learned Addl. CGSC for the respondents Mr. S.K. Ghosh prays for a direction upon the respondent No. 3, before

whom the said representation is pending, to dispose of the said pending representation dated 29.06.2014 within a time frame.

4. In view of the above, we direct the respondent No. 3 i.e. Superintendent of Posts, Nagaon Division, Nagaon to dispose of the pending representation dated 29.06.2014 and pass a reasoned and speaking order by providing an opportunity of being heard to the applicant, within a period of three months from the date of receipt copy of this order. It is made clear that whatever decision to be arrived by the respondent No. 3, the same shall be communicated to the applicant forthwith.

5. With the above direction, O.A. stands disposed of accordingly. No order as to costs.

(NEKKHOMANG NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)