

**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

LIBRARY

O.A/350/98/2019
M.A/350/62/2019

Date of Order: 20.03.2019

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

1. Bipul Chandra Howladar, son of Late Upendra Nath Howladar, Retd. APM (Mail) Barasat H.O aged about 62 years, residing at 238/1, Ashokenagar, P.O & P.S Ashokenagar, District : North 24 Parganas, Pin 743222.
2. Smt. Sipra Nag, wife of Late Mehir Kumar Nag, aged about 60 years, working as Officiating Dy. P.M. Barasat H.P Kolkata 700124, residing at Bidhan Parak, Block -A, Barasat, Kolkata 700124.
3. Sadhan Chandra Dutta, son of Late Paritosh Chandra Dutta, aged about 56 years, working as Public Relation Inspection, Barasat H.O, Kolkata 700124.
4. Sukumar Paul, son of Late Sujoy Krishna Paul, aged about 57 years, working as Sub-Post Master Rajarhat Gopalpur, Kolkata - 700136.

---Applicants

-Versus-

1. Union of India, through the Secretary to the Govt. of India, Ministry of Communication, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi - 110116.
2. The Director General of Posts, Ministry of Communication, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi - 110006.
3. The Chief Post Master General, West Bengal Circle, Yogayog Bhawan, C.R Avenue, Kolkata - 700012.
4. The Post Master General, office of the CPMG, Kolkata Region, Yogayog Bhawan, C.R Avenue, Kolkata - 700012.
5. The Superintendent of Post Offices, Barasat Division, Barasat - 743201.

[Signature]
----Respondents

For the Applicant(s) : Mr. P. Sanyal, Counsel

For the Respondent(s) : Mr. K. Prasad, Counsel

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

Ld. Counsel for both sides are present and are heard.

2. The applicants have approached this Tribunal seeking the following relief:

"a) An order granting leave to the applicants under Rule 4(5)(a) of the Central Administrative Tribunals (Procedure) Rules, 1987 to move this application jointly.

b) An order directing the respondents to grant the benefits under TBOP and BCR Schemes to the applicants at par with said Dilip Kumar Dutta, with retrospective effect from 30.11.1983 and 01.10.1991 as have been granted to the applicants in other similarly circumstanced matters being O.A No. 1148 of 2003 & O.A No. 1061/2008 with all consequential benefits including differences of pay and allowances within a period, as to this Hon'ble Tribunal may seem fit and proper.

c) An order directing the respondents to produce/cause production of all relevant records.

d) Any other order or further order/orders as to this Hon'ble Tribunal may seem fit and proper."

3. M.A bearing no. 62/2019, arising out of O.A 98/2019, has been filed by the applicants on the ground of common interest and common cause of action.

M.A is allowed and disposed of with liberty for joint prosecution under Rule 4(5)(a) of CAT (Procedure) Rules, 1987.

4. Ld. Counsel for the applicants submit that the applicants have preferred a representation, dated 01.10.2018, (Annexure A-6 to the O.A), citing the case of one Sri Dilip Kumar Dutta and praying for similar decisions in their favour.

Ld. Counsel for the applicants seeks liberty to file another comprehensive representation, citing judgements in support, and avers that the applicants would be fairly satisfied if such representation is directed to be disposed of in a time bound manner.

5. Ld. Counsel for the respondents does not object if such direction is issued to the respondent authorities to consider the representation in accordance with law.

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6. Accordingly, with the consent of both the parties and, without entering into the merits of the matter, the applicants are accorded liberty to file a comprehensive representation with supporting documents as well as applicable judicial pronouncements, within a period of 3 weeks from the date of receipt of a copy of this order. Once the competent authority receives such representation, the competent respondent authority will dispose of the representation within a period of 6 weeks thereafter in a reasoned and speaking order in accordance with law. The decision arrived at shall be communicated forthwith to the applicants.

6. With the above directions, the O.A is disposed of. No costs.

ss

(Dr. Nandita Chatterjee)
Member (A)

