



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

An Application U/s. 19 of the Administrative Tribunal Act, 1985.

ORIGINAL APPLICATION NO. 350/1439 OF 2018

Krishnasish Dasgupta, son of
Krishnajiban Dasgupta, aged about
29 years, unemployed, residing at
C/o. Krishnajiban Dasgupta, Shanti
Bhawan, P.O. Sapuipara, Vill -
Santinagar (Middle), District -
Howrah - 711206

.....Applicant

--- Versus ---

1. Union of India, represented by
the Secretary, Ministry of Finance,
Department of Expenditure, Lok
Nayak Bhawan, Khan Market, New
Delhi - 110511.

2. The Principal Chief
Commissioner, Government of India,
Central Excise & Service Tax,
Kolkata Zone, 180, Shantipally,
Rajdanga Main Road, R.B.

Connector, Kasba, Kolkata -
700107.

3. Commissioner, Government of
India, O/O the Dy. Commissioner of
Central Excise & Service Tax,
Howrah West-II Division, Haldia
Commissionerate, 25, Princep
Street, 4th Floor, Kolkata - 700072.

4. Deputy Commissioner, Govt.
of India, O/O the Dy. Commissioner
of Central Excise & Service Tax,
Howrah West-II Division, Haldia
Commissionerate, 25, Princep
Street, 4th Floor, Kolkata - 700072.

.....Respondents

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1439/2018

Date of Order: 07.01.2019

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

Krishnasish Dasgupta -vs- Central Excise & Customs

For the Applicant(s): Mr. A. K Banerjee, Counsel

Mr. P.Sanyal, Counsel

For the Respondent(s): Mr. A. Roy, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Mr. A.K.Banerjee, Ld. Counsel for the applicant, and Mr. A.Roy, Ld.

Counsel appearing for Official Respondent No. 3, in extenso.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

a) An order directing the respondents and/or their subordinates to grant appointment compassionate ground to the applicant commensurate to his qualification, under the die-in-harness category.

b) An order directing the respondent authorities and/or their subordinates to produce all the records before this Hon'ble Court so that conscionable justice may be administered by granting relief to the applicant as prayed for;

c) And to pass any other or further order or orders as Your Lordships may deem fit and proper."

3. Brief facts of the case as narrated by the Ld. Counsel for the applicant is that the mother of the applicant, who was working as Canteen Manager, Howrah West-II, Haldia Commissionerate under Dy. Commissioner of Central Excise, died in harness on 16.10.2010 leaving behind the applicant and her husband. Ld. Counsel for the applicant submitted that ventilating his grievance the applicant preferred representation dt. 26.10.2016 (Annexure-A/2), along with the duly filled in

WJ

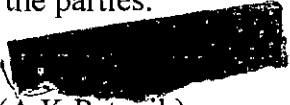
prescribed form, and subsequent reminder dt. 08.09.2018 under Annexure-A/3 before Respondent No.3, which are still pending for consideration. He further submitted that grievance of the applicant may be redressed if Respondent No.3 is directed to consider the representation dated 26.10.2016 within a specific time frame.

4. Having heard Ld. Counsel for the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 3 to consider the representation dt. 26.10.2016 of the applicant, if the same has been filed and is pending for consideration, and pass a reasoned and speaking order as per rules and regulations within a period of six weeks from the date of receipt of copy of this order. It is further made clear that if after such consideration the applicant is found to be entitled and eligible then expeditious steps be taken for giving him appointment on compassionate ground within a further period of six weeks from the date of such consideration. I make it clear that if in the meantime the said representation has already been disposed of, then the result thereof be communicated to the applicant within a period of two weeks.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 3, for which, he undertakes to deposit the cost with the Registry within a week.

7. Copies of this order be handed over to the Ld. Counsel for the parties.


(A.K.Patnaik)
Member(J)