



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

Original Application No. 350/1276 of 2018

1. Bidhan Bachaspati

Son of Late Ashis Kumar Bachaspati,
Ex-GDSMC., Rajgram Branch Post
Office

2. Bhabani Bachaspati

Wife of Late Ashis Kumar Bachaspati
Both residing at village and post office-
Rajgram Branch Office via Rajgaon,
Police Station- Murarai, District-
Birbhum, PIN Code-731222

... Applicants

-Versus-

1. Union of India

Service through the Secretary,
Department Of Post under Ministry of
Communication and Information
Technology, New Delhi-1.

2. The Superintendent of Post Offices,
Birbhum Division, Post Office and
Police Station- Suri, PIN Code-731101

3. The Chief Post Master General
West Bengal Circle, Yogayog Bhawan,
Kolkata-700 012

4. The Circle Relaxation Committee
Service through the Chief Post Master
General , as Chairman
West Bengal Circle, Yogayog Bhawan,
Kolkata-700 012

5. The Sub-Divisional Inspector of Post
Offices, Birbhum Sub- Division, Post
Office- Nalhati TS, District- Birbhum,
PIN Code-731235.

6. The Assistant Director of Postal
Services (Rectt)
Having its office at the office of the
Chief Postmaster General, West
Bengal Circle, Kolkata-700 012

... Respondents



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1276/2018
MA/350/633/2018

Date of Order: 01.02.2019

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

Bidhan Bachaspati & Anr. -VS- UOI

For the Applicant(s): Mr. S.S.Ray, Counsel

For the Respondent(s): Mr. S.Paul, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Mr. S.S.Ray, Ld. Counsel for the applicant. Mr. Ray submitted that he has already sent copy of the O.A., along with annexures, as well as M.A. to Respondents.

2. As no-one appears on behalf of the Respondents and Mr. S.Paul, Ld Counsel, who usually appears for the Union of India, is present in the Court, on my request, Mr. Ray has served copy of the O.A. along with annexures, as well as M.A. on him as I do not want the Official Respondents to go unrepresented. Heard Mr. S.Paul, in extenso.

3. M.A.No. 633/2018 filed by the applicants for jointly prosecuting this case is allowed and disposed of accordingly.

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

"8.(A) Directing the Respondent authority to consider the application of the applicant and place the same before the Circular Relaxation Committee within a particular period.

(B) Directing the Circle Relaxation Committee to consider the case of the applicant and if found eligible, give appointment to Your Applicant with immediate effect under Death In Harness Category and further direct to issue appointment letter to Your Applicant within a reasonable time.



(C) Directing the Respondent Authorities, particularly the Respondent No. 6, the Assistant Director of Postal Services (Rectt), herein to produce or cause to be produce the Original record before this Tribunal.

(D) Costs;

(E) Any other or further order or orders to which the applicant may be found entitled by this Learned Tribunal."

5. The case as enumerated by Ld. Counsel for the applicant, in short, is that applicant's father, late Ashis Kumar Bachaspati, Ex-GDSMC, Rajgram Branch Office, Birbhum, died on 29.04.2015 while in service. The grievance of the applicant is that Respondent authorities have neither considered the application of the applicant for compassionate appointment nor placed the same before the Circle Relaxation Committee even after a lapse of three years after the date of the such application. Ld. Counsel for the applicant submitted that ventilating their grievance the applicant No.1 has preferred a representation dated 24.07.2018 (Annexure-A/8), which has not yet been replied to. He further submitted that grievance of the applicant may be redressed if Respondent No.2 is directed to consider the said representation within a specific time frame.

6. 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. 2 to consider the representation of the applicant as at Annexure-A/8, 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. I make it clear that if after such consideration the grievance of the applicants is found to be genuine then expeditious steps be taken within a further period of six weeks to grant the benefit of compassionate appointment in favour of applicant No.1. I also make it clear that if in the meantime the said representation has already

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been disposed of then the result thereof be communicated to the applicant within two weeks.

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

8. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 2, for which, he undertakes to deposit the cost with the Registry within a week.

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

(A.K.Patnaik)
Member(J)

RK/PS

