

LIBRARY

IN THE CENRAL ADMINISTRATIVE TRIBUNAL CALCUTTA BENCH

O.A. No. 244 of 2018

Nitya Nanda Mandal son of Late  
Nitindra Nath Mandal, residing at  
Mandalpara, Pratapnagar, Sonarpur,  
South 24 Parganas, Pin code - 743 330

... APPLICANT

Versus

1. Union of India, through the  
Secretary, Department of Posts,  
Ministry of Communication, having his  
office at Dak Bhawan, Sansad Marg,  
New-Delhi-110001.

2. Chief Post Master General, West  
Bengal Circle, 1st Floor, Yogayog  
Bhawan, Kolkata - 700 012.

3. Senior Superintendent of Post  
Offices, South Kolkata Division,  
Kolkata, Pin Code - 700 029.

4. Assistant Superintendent of Post  
Offices, South Kolkata 1<sup>st</sup> Sub Division,  
Kolkata - 700 019.

*Al* *Respondents*

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

O.A/350/244/2018

Date of Order: 13.11.2018

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

For the Applicant(s): Mr. M. R Pramanik, Counsel

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

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Mr. M.R.Pramanik, Ld. Counsel for the applicant, and Mr. T.K.Chatterjee, Ld. Counsel for the Official Respondents.

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

“ a) Pass an order directing the respondent authorities to take expeditious steps to consider the application of the applicant for compassionate appointment and thereafter appoint the applicant on compassionate grounds.”

3. The sum and substance of the case of the applicant is that he is the son of Nitindra Nath Mondal, Ex-Postman/ Delivery Agent at South Kolkata Division, Department of Posts. Applicant is aggrieved by the fact that his request for compassionate appointment in place of his father, who had retired on medical grounds and subsequently passed away, was not considered by the respondent authorities.

4. Mr. Pramanik, Ld. Counsel for the applicant, fairly brought to my notice the representation preferred by the applicant on 28.03.2017, enclosing all the required documents, with a prayer to extend the benefit of compassionate appointment, which has been duly forwarded by Respondent No.3 to Respondent No.4 to

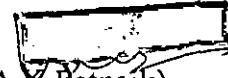
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examine and submit report. The said letter under Annexure-A/11 was dated 11.04.2017 and already almost one and a half year has elapsed in the meantime. Therefore, without waiting for any reply, I think it appropriate to dispose of the O.A. by directing Respondent No.4 to act upon the letter sent by Respondent No.3 on 11.04.2017 and submit the report within a period of four weeks to the Respondent No.3 and the Respondent No.3 is directed to examine the report, pass appropriate orders and communicate the result thereof to the applicant within a further period of four weeks from the date of receipt of the report. I make it clear that if after such consideration the grievance of the applicant is found to be genuine and he is found to be otherwise eligible then the benefit of compassionate appointment may be extended to him within a further period of three months from the date of such consideration. However, I make it clear that I have not entered into merit of the matter and the Respondent No.3 will consider the case of the applicant keeping in mind rules and regulations governing the field as well as report submitted by Respondent No.4.

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

7. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent Nos. 3 and 4 by Speed Post, for which, he undertakes to deposit the cost with the Registry within a week.

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

  
(A.K. Patnaik)  
Member(J)