

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA**

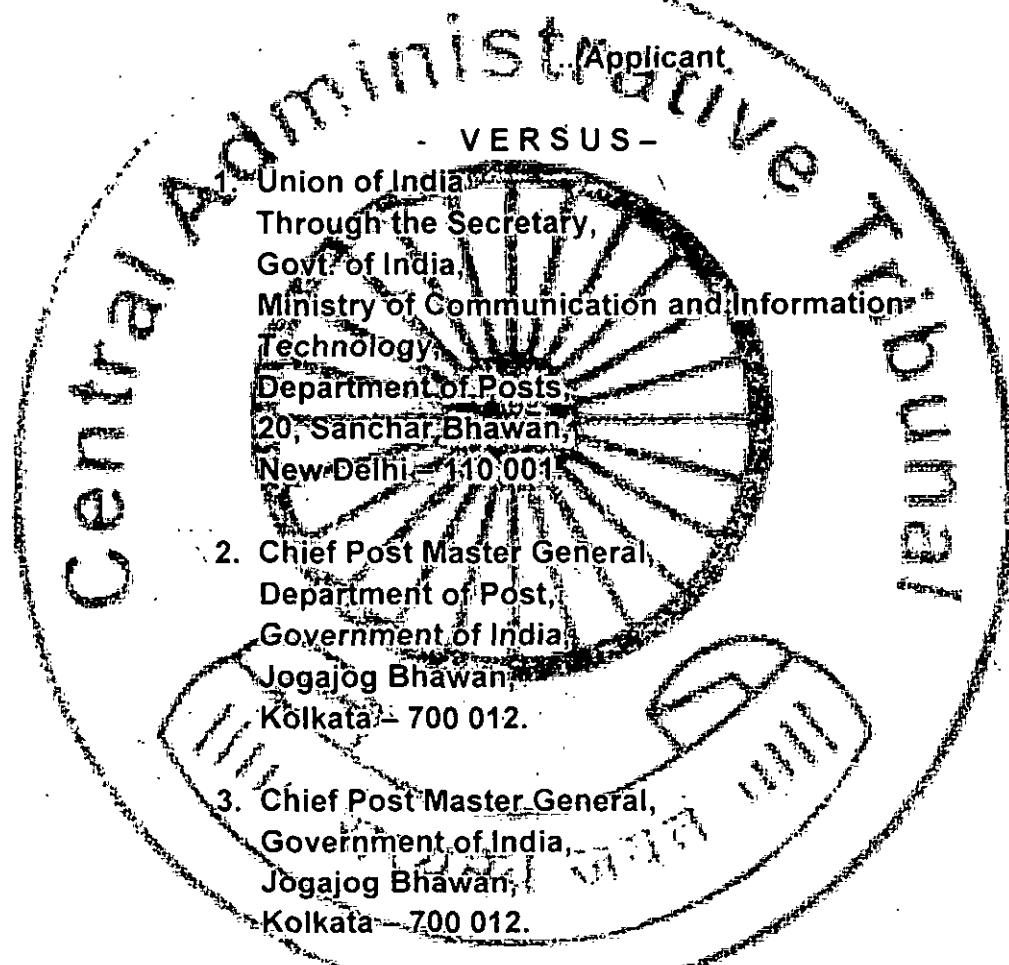
**LIBRARY**

No. O.A. 350/01231/2017

Date of order: 29.1.2019

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Sri Dinabondhu Mondal,  
Son of Haran Chandra Mondal,  
Of Gokarni,  
Police Station – Magrahat,  
South 24 Parganas – 743302.



.. Respondents

For the Applicant : Mr. R. Mukherjee, Counsel

*[Signature]*

For the Respondents : Mr. S. Paul, Counsel

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

The instant Original Application has been filed seeking the following relief:-

"(a) Mandatory order to be issued directing the respondents to disburse the subsistence allowance in favour of the applicant only together with interest with effect from the date of put off from duty on 19.5.1992 till date and further allow rejoining service to the applicant forthwith.

(b) Mandatory order directing the respondents to consider the representation made by the petitioner praying for settlement the dues accruing in her favour on account of subsistence allowance and other benefits accruing this period.

(c) An order of Cost and/or incidental to this application.

(d) Any further order or orders as this Honble Tribunal may deem fit and proper."

2. Heard both Ld. Counsel, examined documents on record.

3. According to Ld. Counsel for the applicant, the applicant, who was working as Extra Departmental Sub-Postmaster of Gorkanee EDSO during the period from 12.3.1984 to 19.5.1992, was implicated in a Criminal case No. 157/92 under Section 409/420 of the Indian Penal Code.

That, the applicant was put off duty and was not paid any subsistence allowance for such period.

That, the applicant ultimately obtained an order of acquittal on 30.8.2016 and despite the fact that he represented to the authorities, was not allowed to rejoin his duties nor paid any subsistence allowance and hence, being aggrieved, the instant O.A.

Ld. Counsel for the applicant further submits that the applicant will be fairly satisfied if the competent respondent authority is directed to dispose of his pending representation dated 19.7.2017 (A-5 to the O.A.) praying for reinstatement and payment of back wages, within a specific time frame.

4. Ld. Counsel for the respondents does not object to consideration of the said representation as per law.

*hsh*

5. Accordingly, with the consent of the parties, and, without entering into the merits of the matter, we direct the respondent No. 4, who is the Superintendent of Post Offices, Department of Posts, India, South Presy. Division, Baruipur to examine such representation, if received at his end, in accordance with law within a period of 4 weeks from the date of receipt of this order and communicate the same forthwith in the form of a reasoned and speaking order.

Once a decision is arrived at, and, if the applicant is entitled to the same, the orders of reinstatement and release of consequent benefits be issued and released within 6 weeks thereafter.

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

(Dr. Nandita Chatterjee  
Administrative Member)

(Bidisha Banerjee  
Judicial Member)

SP.