

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

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No. O.A. 350/00431/2019

Date of order: 13.5.2019

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

Pankaj Kumar Das,
 Son of Late Hridaynath Das,
 Aged about 65 years,
 Residing at Village & Post Office – Pindurai,
 Police Station – Pingla,
 District – Paschim Midnapore,
 Pin – 721 131 and working to the post
 Of as GDSMD Pindurai Branch Office
 At Sabang SO, Midnapore under the
 Senior Superintendent of Post Offices,
 Midnapore Division, Midnapore.

.. Applicant

V-E-R-S-U-S –

1. Union of India,
 Service through the Secretary,
 Government of India,
 Ministry of Communication & Information
 Technology, Department of Posts,
 20, Sanchar Bhawan,
 Ashoka Road,
 New Delhi – 110 001.
2. The Chief Post Master General,
 West Bengal Circle,
 South Bengal Region,
 Yogayog Bhawan,
 C.R. Avenue,
 Kolkata – 700 012.
3. The Post Master General,
 Kolkata Region,
 Yogayog Bhawan,
 Kolkata – 700 012.
4. The Senior Superintendent of Post Offices,
 Midnapore Division,
 Midnapore,
 Pin – 721101.

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5. The Inspector of Posts,
Balichak Sub-Division,
Balichak - 721124,
District - Paschim Midnapore.

.. Respondents

For the Applicant : In person

For the Respondents : None

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

The instant Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

(a) To pass an appropriate order directing upon the respondent authority to disburse the arrear amount of pay as well as special pay and allowances in favour of the applicant in respect of functioning duties as GDSMC in the different branch offices of the postal department as per the direction of the postal department being Annexure A-1 and A-5 of this original application which your applicant is entitled to along with arrears and the special pay and allowances;

(b) To pass an appropriate order directing upon the respondent authority to consider the case of the applicant in the light of the representation submitted by your applicant dated 12.3.2019 being Annexure A-6 of the original application keeping in mind the similar order passed by the Hon'ble Tribunal in the case of Radhyeshyam Das vs. Union of India and others and to make all the arrear of pay including special pay and allowances for discharging duties and function as GDSMC by the applicant to the different branches of the postal department as per the direction contained in Annexure A-1 and A-5 of this original application;

2. The applicant, who is 65 years old at the time of filing of the O.A., submits in person, that he is functioning as GDSMD at Pindurai Branch Office at Sabang SO under the respondent authorities. That, the authorities concerned kept on directing him to perform duties as GDSMC to different Branch Offices of the Postal Department since 21.09.2015. That, as per rules, if any GDSMD is directed to perform duties at any Branch Office, then he would be entitled to special pay and allowances for performing such duties, and, that, the respondent authorities, in spite of the fact that they had directed him to perform duties as GDSMC in different Branch Offices of the Postal Department, had failed to

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disburse the pay and allowances to the applicant, to which the applicant claims entitlement. That, the applicant had preferred a representation dated 12.3.2019 (Annexure A-6 to the O.A.) to the respondents for considering his grievance and to disburse pay and allowances as are due to him. Despite preferring such representation, the respondent authorities have failed to respond. Hence the applicant, being aggrieved, has approached the Tribunal in the instant O.A. in which the applicant, in particular, has prayed for disposal of his representation dated 12.3.2019.

3. Although the respondents are not represented during hearing, we are of the considered view that it would not be prejudicial to either side if the respondent authorities are directed to dispose of the representation of the applicant in a time bound manner, given that the same is pending at their end.

4. Accordingly without entering into the merits of the matter, we direct the respondent No. 4, who is the Senior Superintendent of Post Offices, Midnapore Division, and to whom the representation has been addressed, to examine the representation of the applicant dated 12.3.2019, if received at his end, and to decide on the same as per law, within a period of four months from the date of receipt of this order. The decision arrived at should be communicated to the applicant forthwith thereafter.

5. With the aforesaid directions, the O.A. stands disposed of. There will be no orders on costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

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