



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

OA. 350/36/2018

Date of Order: 30.01.2019

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member

Nibedita Bhattacharjee, wife of Tapas Bhattacharya, an employee of BSNL, resides at 9B, Jhilmáth, PO- Nabagram, under-Uttarpara PS, Dist- Hooghly, Pin- 712246, working as Sr. TSO, Uttarpara, under BSNL.

.....Applicant.

-versus-

1. Chairman & Managing Director, BSNL; having his office at Bharat Sancher Bhavan, Harish Chandra Mathus Lane, Janpath, New Delhi- 110001.
2. The Chief General Manager, Calcutta Telephones, BSNL having office at Telephone Bhavan, 34, BBD Bag, Kolkata- 700001.
3. The Sub-Divisional Engineer, Staff III, HQ, Kolkata Telephones, BSNL, 34 BBD Bag, Kolkata- 700001.
4. The Sub-Divisional Engineer, Staff SMP, Kolkata Telephones, 96, Dey Street, Sreerampore, Dist- Hooghly, Pin- 712201.
5. The Accounts Officer, (T/R), Kolkata Telephones, BSNL, 7A, Rajmohan Road, PO- Uttarpara, Hooghly, Pin- 712258.

.....Respondents.

For the Applicant : Mr. N. Roy, Counsel

For the Respondents : Mr. C. S. Bag, Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard both.

2. It appears that the applicant had at the first instance sought for voluntary retirement with effect from 01.10.2015 which prayer was returned in the month of October, 2015 to be resubmitted to seek voluntary retirement with effect from 01.01.2016. Since the application was neither rejected nor considered, the applicant

was constrained to move a Writ Petition No. 25270(W) of 2017 before the Hon'ble High Court at Calcutta which was dismissed as withdrawn with liberty to approach the appropriate forum, as it appears from Annexure A-12 to the OA.

On 11.10.2017 the applicant was informed by SDE/Staff/SMP, BSNL, Cal. Telephone that she should submit appropriate medical certificate certifying the reason of her unauthorized absence from duty with effect from 12.03.2012 to till date.

No representations have been annexed to demonstrate that the applicant had duly submitted such certificate from a registered Doctor.

3. Therefore, since the OA was presented within the period of limitation from such communication dated 11.10.2017, the OA is disposed of with liberty to the applicant to present before the authorities with an appropriate medical certificate in terms of their communication dated 11.10.2017, within a period of 8 weeks from the date of receipt of copy of this order.

4. In the event such representation is preferred then the same shall be disposed of in accordance with law, within a further period of 8 weeks thereafter.

5. It is made clear that I have not gone into the merits of this matter and therefore all points are kept open for the respondent authorities to consider.

6. Accordingly, this OA would stand disposed of. No costs.

(Bidisha Banerjee)
Member (J)

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