



**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

Date of order: 8.1.2019

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

No. O.A. 350/1444/2018
M.A. 350/707/2018

Prakash Kumar Singh,
S/o late Jaswant Kumar Singh of
Village - Jogapur,
Post Office - Fulpur,
P.S. - Ranitala,
District - Murshidabad,
Pin - 742 135.

No. O.A. 350/1445/2018
M.A. 350/708/2018

Suresh Mondal,
S/o Chandra Sekhar Mandal of
Village - Andharmanik,
Post Office - Basudevkhali,
P.S. - Berhampore,
District - Murshidabad,
Pin - 742187.

No. O.A. 350/1446/2018
M.A. 350/709/2018

Bhuban Mandal,
S/o Bibek Mandal of
Village - Haidarpur,
Post Office : Dahaparadham,
P.S. and District - Murshidabad,
Pin - 742 149.

No. O.A. 350/1447/2018
M.A. 350/710/2018

Nibaran Mistri,
S/o Dhanajinjoy Mistri of
Village - Haidarpur,
Post Office : Dahapara,
P.S. and District - Murshidabad,
Pin - 742 1104.

No. O.A. 350/1448/2018
M.A. 350/711/2018

Ranjit Murari,
S/o late Ganga Murari of
Village - Chandpur,

Post Office : Khoshbagh,
P.S. – Murshidabad,
District – Murshidabad,
Pin – 742 149.

No. O.A. 350/1449/2018
M.A. 350/712/2018

Subrata Mondal,
S/o Madan Mohan Mondal of
Village – Haidarpur,
Post Office : Dahapara,
P.S. and District – Murshidabad,
Pin – 742 104.

No. O.A. 350/1450/2018
M.A. 350/713/2018

Shyamal Sarkar,
S/o Bhanu Sarkar of
Village – Kashiganj,
Post Office : Debipur,
P.S. – Jagannj,
District – Murshidabad,
Pin – 742 123.

.. Applicants

VERSUS -

1. Union of India
Service through the Secretary,
Ministry of Communication
Department of Post,
Government of India, Dakbhan,
New Delhi – 110 001.
2. The Chief Post Master General,
West Bengal, Jogajog Bhavan,
C.R. Avenue,
Kolkata – 700 012.
3. The Superintendent of Post Offices,
Murshidabad Sub-Division,
P.O. & P.S. Berhampore,
District – Murshidabad,

Pin – 742 101.

4. Assistant Superintendent of Post Offices,
Murshidabad Central Sub-Division,
P.O. & P.S. Berhampore,
District – Murshidabad,
Pin – 742 101.

5. Sub-Divisional Inspector (Postal),
Azimganj Sub-Division,
P.O. Azimganj,
P.S. Jiaganj,
District – Murshidabad,
Pin – 742122.

6. Inspector of Posts,
Azimganj Sub-Division,
P.O. – Azimganj,
P.S. – Jiaganj,
District – Murshidabad,
Pin – 742122.

Respondents

For the Applicants : Mr. N. Roy, Counsel

For the Respondents : None

O.R.D.E.R. (Oral)

Per Ms. Bidisha Banerjee, Judicial Member:

Since all the O.A.s are identical in nature they are analogously taken up
for disposal by this common order.

2. Heard Mr. N. Roy, Ld. Counsel for the applicant. None appears for the respondents despite notice. Affidavit of service is taken on record.

3. It transpires from the pleadings as well as the Annexures to the O.A. that on 8.1.2016 the applicants were terminated from service vide an order dated 8.1.2016.

4. Subsequently, on 25.4.2017 notification was issued for filling up the post in question which is being challenged by the applicants in the instant O.A.s.

5. The applicants have not filed any representation either against the termination order or the fresh notification.

6. Accordingly, it appears that the O.A.s have been preferred without exhausting available departmental remedies.

7. Ld. Counsel for the applicants therefore, agrees to dispose of the present O.A.s with liberty to prefer representation to the department both against the termination as well as the fresh notification. He also submits that vacancies pursuant to the notification dated 25.4.2017 have not been filled up till this date.

8. Therefore, in the interest of justice, the applicant is permitted to prefer representations to the authority both against the termination order as well as the notification within two weeks from the date of receipt of a copy of this order which, in the event it is preferred, shall be disposed by the Senior Superintendent of Post Office being respondent No. 3 or any other competent authority within a period of four weeks thereafter. Till such time posts,

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pursuant to the notification dated 25.4.2017, if not filled up, shall not be filled up.

9. The O.A.s & M.A.s are disposed of accordingly. No costs.

(Bidisha Baherjee)
Judicial Member

SP

