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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

KOLKATA BENCH, KOLKATA

O.A. No.350/00 677 of 2019

KISHALAY KANTI BISWAS, son of Late
Harendra Nath Biswas, aged about 63
years, residing at Village Shimulpur,
Post Thakurnagar, P.S. Gaighata,
District 24-Parganas (North), Pin-
743287, Retired Assistant Post Master
of Belehata Head Office, under Office
of the Senior Superintendent of Post
Offices, East Kolkata Division, Kolkata-
700014.

... APPLICANT

VERSUS

1. **UNION OF INDIA** through the
Secretary to the Govt. of India, Ministry
of Communications & IT, Department of
Posts, Dak Bhawan, Sansad Marg, New
Delhi-110001.

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2. **THE DIRECTOR GENERAL OF POSTS**, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.

3. **THE CHIEF POSTMASTER GENERAL**, West Bengal Circle, Yoygayog Bhawan, C. R. Avenue, Kolkata-700012.

4. **THE DEPUTY DIRECTOR GENERAL (TRAINING)**, Office of the Director General of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.

5. **SENIOR SUPERINTENDENT OF POST OFFICES**, East Kolkata Division, 11/1, Dr. Suresh Sarkar Road, Kolkata-700014.

6. **THE POST MASTER**, Belehata Head Office, Kolkata-700010.

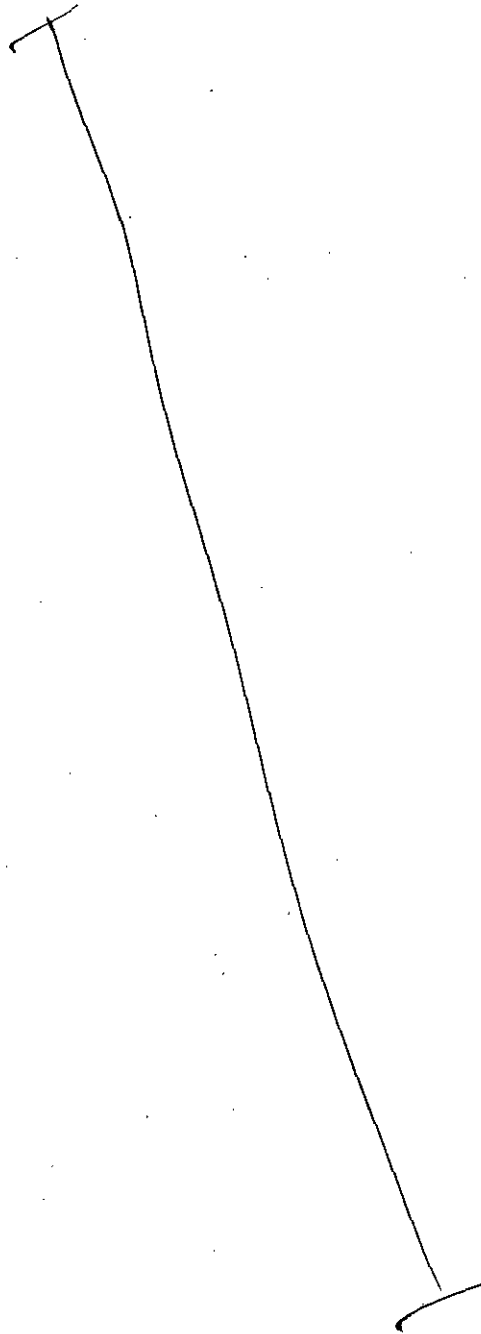
7. **THE GENERAL MANAGER (POSTAL ACCOUNTS & FINANCE)**, Kolkata, West Bengal Postal Circle, Yoyogag Bhawan, P-36, C.R. Avenue, Kolkata-700012.

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8. PUBLIC RELATION INSPECTION
(POSTAL), Belegkata Head Office,
Kolkata-700010.

... RESPONDENTS

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/677/2019

Date of Order: 25.06.2019

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

KISHALAY KANTI BISWAS VS. D/o INDIA POST

For the Applicant(s): Mr. B. Chatterjee, counsel

For the Respondent(s): Ms. P. Goswami, counsel

ORDER (ORAL)

A.K. Patnaik, Member (J):

Heard Mr. B.Chatterjee, Ld. Counsel for the applicant, and Ms. P.Goswami,
Ld. Counsel appearing for the Official Respondents, in extenso.

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

"a) An order directing the respondents to disburse the Death cum Retirement Gratuity to the applicant along with all 10% interest calculated from 31.03.2016 till the date of actual payment.

b) An order directing the respondents to disburse the Full Pension amount along with Arrear Pension to the applicant together with 10% interest calculated from 31.03.2016 till the date of actual payment.

c) An order directing the respondents to produce/cause production of all relevant records.

d) An order imposing exemplary cost upon the respondents to be paid in favour of the applicant

e) Any other or further order or orders as to this Hon'ble Tribunal may seem fit and proper."

3. The case of the applicant, as enumerated by the Ld. Counsel, is that he superannuated from service on 31.03.2016 as an Assistant Post Master, Belegkata Head Office. However, he was granted only the provisional pension till 31.03.2017 and Leave Encashment and despite his request for finalization of his pensionary

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benefits, the same is not being disbursed. Ld. Counsel for the applicant submitted that vide Annexure-A/11 dated 21.02.2018, the applicant has ventilated his grievance before the Sr. Superintendent of Post Office, East Kolkata Division (Respondent No.5), but till date nothing has been communicated to him. He further submitted that grievance of the applicant may be redressed if Respondent No.5 is directed to act upon Annexure-A/11 within a specific time frame.

4. Ms. P.Goswami, Ld. Counsel for the respondents, submitted that as per Annexure-A/12 letter dated 08.05.2018 already Rs. 3,12,002/- has been sanctioned to the applicant towards cash equivalent to leave salary.

5. Since the specific grievance of the applicant is that he is not being paid the pension and some other pensionary benefits for which he has represented to the Respondent No.5, after hearing Ld. Counsel for the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 5 to act upon the representation of the applicant as at Annexure-A/11 dated 21.02.2018, if the same has been filed and is pending for consideration, and pass a reasoned and speaking order as per rules and regulations within a period of six weeks from the date of receipt of copy of this order. I also make it clear that if after such consideration the applicant's grievance is found to be genuine and he is otherwise entitled then expeditious steps be taken within a further period of six weeks to release the pension and other pensionary benefits, which are due. I also make it clear that if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within two weeks.

6. With the aforesaid observation and direction, this O.A. stands disposed of.

No costs.

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7. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 5 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)

RK/PS

