CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. O.A. 350/01401/2015 Date of order: 11.9.2015

Present : Hon'ble Mr. Justice G. Rajasuria, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

Abdur Rahaman Molla, son of Sajahan Molla, of Vill- Maruiberia, P.O. Basuldanga, P.S. Diamond Harbour, Dist- South 24 Parganas, Pin- 743368 & 9 Others, all worked as Casual Labour of D.R.M. Workshop at Calcutta, G.P.O., Kolkata- 700001.

- V E R S U S -

1. Union of India,
Service through the Secretary,
Ministry of Communication,
Department of Posts,
Dak Bhawan,
New Delhi - 110 001.

2. The Chief Postmaster General,
West Bengal Circle, Yogayog Bhavan,
R-36, C.R. Avenue, Kolkata- 700 012.

3. The Director, Kolkata G.P.O.,
B.B.D. Bag (East), Kolkata - 700001.

4. The Sr. Deputy Director (Admn.),
Kolkata GPO, Kolkata-700 001.

For the Applicant : Mr. T.K. Biswas, Counsel

For the Respondents : Mr. P. Mukherjee, Counsel

O R D E R (Oral)

Per Mr. G. Rajasuria, Judicial Member:

Heard Ld. Counsel for both sides at the admission stage itself.

2. The O.A. has been filed seeking the following reliefs:-

"a) An order directing the respondents to consider the representation dated 28.4.2011 (Annexure A-8) and examined/verify the documents of the applicants, if the said documents are genuine and applicants are found to be fit for service then the appointment letter may be issued in favour of the applicants;

b) An order directing the respondents to pass similar order dated 5.2.2007 and 12.3.2015 (Annexure A-7) because the applicants are similar situated employees so that they are entitled to same benefits as per above orders;

c) Leave may be granted to file this application jointly under Rule 4(5)(a) of the CAT (Procedure) Rules, 1987;

d) And to pass such other or further order or orders as to this Hon'ble Tribunal may deem fit and proper."

3. The Ld. Counsel for the applicant would echo the heart burns of his client that he has been working in the postal department as Casual Worker for a pretty long time but he was not regularised. His prayer for regularising him, was not responded to positively. Hence this O.A.

4. Whereas Ld. Counsel for the respondents would submit that the applicant is having no locus standi to seek for regularisation.

5. Be that as it may, as of now we do not decide the matter on merits in view of the supine submission made by Ld. Counsel for the applicant that opportunity might be given to the applicant to file a fresh representation within a time frame, whereupon the respondent authority might be directed to pass a reasoned and speaking order thereon.

6. Hence we would like to issue the following direction:

The applicant is granted liberty to file a representation within one month from the date of receipt of a copy of this order whereupon the respondent authority is mandated to consider the same and pass a detailed speaking order within a period of three months thereafter and communicate the same.

7. Ordered accordingly.

(Jaya Das Gupta)
MEMBER(A)

(G. Rajasuria)
MEMBER(J)

SP