

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA**



O.A/350/253/2014

Date of Order: 24.07.2019

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Shri Anath Bandhu Guria, son of Late Debendra Nath Guria, aged about 59 years, working as G.D.S. Branch Post Master, Nij-Kasba Branch Post Office, under Contai Division, now under order of removal from engagement, residing at Vill. & P.O. Nij-Kashba, P.S. Khejuri, Dist. Purba Medinipur.

..Applicant.

..versus..

1. Union of India through the Secretary, Ministry of Communication, Department of Posts, Dak Bhavan, New Delhi - 1.
2. The Chief Post Master General, Yogayog Bhavan, C.R. Avenue, Kolkata - 700012.
3. The Post Master General, South Bengal Region, Yogayog Bhavan, Kolkata - 700012.
4. The Director of Postal Services, South Bengal Region, P-36, C.R. Avenue, Yogayog Bhavan, Kolkata - 700012.
5. The Superintendent of Post Offices, Contai Division, P.O. Contai, Dist. Purba Medinipur - 721401.
6. The Inspector of Post Offices, Contai 2nd sub-division, P.O. Contai, Dist. Purba Medinipur - 721401.
7. Sri Rabindra Nath Panja, ASRM, Howrah RMS/2, RMS WB Division, Howrah-1 & I.O.

..Respondents

For The Applicant(s): Mr. A. Chakraborty, counsel
Ms. P. Mondal, counsel

For The Respondent(s): Ms. M. Bhattacharya, counsel

O R D E R (Oral)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both the parties.

2. Since the applicant has been acquitted of the charges framed under 409 IPC and on identical charges he has been removed from service, but no representation has been preferred to the higher authorities seeking revision of the order of removal in view of subsequent acquittal, applicant is granted liberty to prefer a suitable comprehensive representation to the competent authority within 4 weeks from the date of receipt of this order to seek benefit of the ratio in **G.M. Tank versus State of Gujarat 2006 SCC (L&S) 1121**.

3. In the event such representation is preferred, the respondent authority shall dispose it of in the light of **G.M. Tank versus State of Gujarat 2006 SCC (L&S) 1121** and pass a reasoned and speaking order within 2 months thereafter.

4. It is made clear that we have not entered into the merits of the matter and, therefore, all points are kept open for consideration of the respondent authorities.

5. O.A accordingly stands disposed of. No costs

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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