

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



OA. 350/448/2019

Date of order: 06.08.2019

Present :Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Sri Prasanta Kumar Ghosh, son of late
Santosh Kumar Ghosh, Ex-APM (Try) 70A
Baghajatin Place, P.S. Patuli, Kolkata- 700086.

.....Applicant.

-versus-

1. Union of India, service through the Secretary,
Department of Post, Dak Bhawan, Samsad
Marg, New Delhi- 110001.
2. Chief Post Master General, Calcutta Regional
Office, Yogayog Bhawan, Kolkata- 700012.
3. The Sr. Superintendent of Post Office, South
Kolkata Division, Kolkata- 700029.

.....Respondents.

For the Applicant : Mr. L. M. Ghosh, Counsel

For the Respondents : Mr. P. Mukherjee, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:

Heard both.

2. This OA has been filed to seek the following reliefs:

"8(a) A direction may be given that the applicant will be entitled to get his all promotional benefits, service benefits and arrears of pensions amounts i.e. Rs. 22,07,977/- (approx.) and also actual pension amount from the respondents.

(b) A direction may be given to the respondents to make payment the arrears of all promotional benefits and other benefits and actual pensions amounts to the applicant forthwith and make payment interest at the rate of Bank interest upon all the arrears of due amounts.

(c) The Respondents may be directed to transmit and submit to the Hon'ble Tribunal all the records and papers in connection with the case.

(d) Any other relief or reliefs as may be admissible on the basis of the adjudication of the matter.

€ Costs of the proceedings.

(f) Compensation for harassment and delay payment at Rs. 20,00,000/-."

3. Facts in a nutshell would run thus; The applicant joined as temporary P.A. in the Department of Post at Tollygunge, H.P.O. on 29.06.1981. He was promoted in the year 1997, but has claimed that no benefits of Promotion was paid to him. His Time Bound One Promotion, due in 1997 was also not accorded to him. Meanwhile, he was suspended from his service from 11.09.1998 (A/N) probably due to some criminal case. The suspension order was revoked on 02.02.2002 following his acquittal. But the suspension allowance and other service benefits were not accorded to him. His further grievance is that his promotion due in June, 2007 was not allowed/granted and promotional benefits were not paid. The applicant completed 30 years' of service in the said postal department in the month of June, 2011 and was therefore due for his 3rd MACP but that too was not allowed by the respondents. Thereafter, he was approved by DPC, held on 19.12.2015(A-4) for further promotion to LSG cadre and joined as such on 30.07.2015 and performed his duty as A.P.M (Try) with effect from 30.07.2015. He continued as such until 31.12.2015 when he retired. He is aggrieved as no promotional benefit was accorded to him in regard to TBOP, BCR and MACP and all his repeated representations have fallen on deaf ears.

4. At hearing, Id. Counsel for applicant would invite our attention to a communication dated 04.02.2019, as contained in Annexure A-2 to the OA, which reads as under:

"Sub: Finalisation of dues in connection with non-settlement of due promotion as TBOP, BCR and MACP.

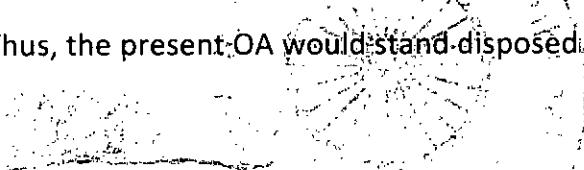
Ref: Your letter no. Nil, dated 23.10.2018.

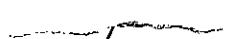
In reply to your letter dated 23.10.2018 in c/w captioned subject this is to intimate that your case has been given due importance. The matter has been taken up with the competent authority and it is likely to be settled early."

5. Since the communication dated 04.02.2019 is suggestive of the fact that the claim of the applicant is still under active consideration, we direct the authorities to positively take a decision and issue an appropriate order, in accordance with law, within 3 months from the date of communication of this order.

6. We further direct that, in the event nothing stands in the way, appropriate benefits shall be released in favour of the applicant, in accordance with law, within the said period.

7. Thus, the present OA would stand disposed of. No costs.


(Dr. Nandita Chatterjee)
Member (A)


(Bidisha Banerjee)
Member (J)

pd