

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



OA. 350/512/2019

Date of Order: 31.05.2019

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

Subal Chandra Pradhan, son of Late Judgal Chandra Pradhan, aged about 57 years, residing at Village - Fatechak, Post Office - Fatechak, Police Station - Sabang, District - Paschim Midnapore, Pin - 721144 and working to the post of as GDSMC Fatechak Branch Office at Sabang SO, Midnapore under the Senior Superintendent of Post Offices, Midnapore Division, Midnapore.

-----Applicant

-Vs-

1. Union of India, service through the Secretary, Government of India, Ministry of Communication & Information Technology, Department of Posts, 20, Sanchar Bhawan, Ashoka Road, New Delhi - 110001.
2. The Chief Post Master General, West Bengal Circle, South Bengal Region, Yogayog Bhawan, C.R Avenue, Kolkata - 700012.
3. The Post Master General, Kolkata Region, Yogayog Bhawan, Kolkata 700012.
4. The Senior Superintendent of Post Offices, Midnapore Division, Midnapore, Pin 721101.
5. The Inspector of Posts, Balichak Sub-Division, Balichak - 721124, District-Paschim Midnapore.

-----Respondents

For the Applicant : Mr. P. C. Das, Counsel

For the Respondents : Ms. P. Goswami, Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:

The instant Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

"(a) To pass an appropriate order directing upon the respondent authority to disburse the arrear amount of pay as well as special pay and allowances in favour of the applicant in respect of functioning duties as GDSMC in the different branch offices of the postal department as per the direction of the postal department being Annexure A-1 to A-6 of this original application which your applicant is entitled to along with arrears and the special pay and allowances;

(b) To pass an appropriate order directing upon the respondent authority to consider the case of the applicant in the light of the representation submitted by your applicant dated 06.3.2019 being Annexure A-7 of the original application keeping in mind the similar order passed by the Hon'ble Tribunal in the case of Radhyeshyam Das - vs. - Union of India and others and to make all the arrear of pay including special pay and allowances for discharging duties and function as GDSMC by the applicant to the difference branches of the postal department as per the direction contained in Annexure A-1 to A-6 of this original application;

2. Ld. Counsel for applicant submits that the applicant, who is 57 years old at the time of filing of the O.A., he is functioning as GDSMC at Fatechak Branch Office at Sabang SO under the respondent authorities. That, the authorities concerned kept on directing him to perform duties as GDSMC to different Branch Offices of the Postal Department. That, as per rules, if any GDSMC is directed to perform duties at any Branch Office, then he would be entitled to special pay and allowances for performing such duties, and, that, the respondent authorities, in spite of the fact that they had directed him to perform duties as GDSMC in different Branch Offices of the Postal Department, had failed to disburse the pay and allowances to the applicant, to which the

applicant claims entitlement. That, the applicant had preferred a representation dated 06.3.2019 (Annexure A-7 to the O.A.) to the respondents for considering his grievance and to disburse pay and allowances as are due to him. Despite preferring such representation, the respondent authorities have failed to respond. Hence the applicant, being aggrieved, has approached the Tribunal in the instant O.A. in which the applicant, in particular, has prayed for disposal of his representation dated 06.3.2019.

3. Therefore, I am of the considered view that it would not be prejudicial to either side if the respondent authorities are directed to dispose of the representation of the applicant in a time bound manner, given that the same as pending at their end.

4. Accordingly without entering into the merits of the matter, I direct the respondent No. 4, who is the Senior Superintendent of Post Offices, Midnapore Division, and to whom the representation has been addressed, to examine the representation of the applicant dated 06.3.2019, if received at his end, and to decide on the same as per law, within a period of four months from the date of receipt of this order. The decision arrived at should be communicated to the applicant forthwith thereafter.

5. With the aforesaid directions, the O.A. stands disposed of. There will be no orders on costs.

(Bidisha Banerjee)
Member (J)

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