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CENTRAL ADMINISTRATIVE TRIBUNAL CALCUTTA BENCH

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No. OA 350/00673/2014

Date of order : 8.9.2015

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

PARTHA KARMAKAR

VS

UNION OF INDIA & ORS.

For the applicant : Mr.A.Chakraborty, counsel

For the respondents : Mr.B.P.Manna, counsel

O R D E R (ORAL)

This matter is taken up in the Single Bench in terms of Appendix VIII of Rule 154 of CAT Rules of Practice, as no complicated question of law is involved, and with the consent of both sides.

2. This application has been filed seeking the following reliefs :

- a) An order directing the respondent No.3 & 4 to consider and dispose of the applicant's representation dated 9.4.14 with be given an opportunity of hearing to the applicant and thereby passing a reasoned and speaking order and be given appointment to the app client for the post of 'Postal Assistant' under the Department of Posts, Govt. of India i.e. under the respondent NO. 3 & 4 on compassionate ground in respect of the applicant's father Sibsankar Karmakar who has expired on 19.5.01 during his course of employment under the respondent No.5 within a very short and stipulated period.
- b) An order directing the respondent No.4 to certify and transmit all the relevant records in connection of the instant matter before this Hon'ble Tribunal for the purpose of careful scrutiny and also for the purpose of rendering conscientable justice and also for the purpose of rescind or set aside the disapproved letter dated 19.2.10 by the respondent No.4 and thereby given compassionate appointment as 'Postal Assistant' to the applicant.
- c) An order do issue to set aside and/or cancel the order dated 19.2.10, passed by the respondent No.4 herein in memo No.B3/Relax/Partha Karmakar/How Dn dated 19.2.10 in respect of his late father in 'Postal Assistant' Howrah Division or any other place under the Postal Department.

3. The respondents have disclosed in the reply that the matter was considered by the Circle Relaxation Committee at its meeting on 22.7.13 for the vacancy of 2012. Since the case earned 55 points as against the last approved

candidate who earned 62 points no appointment could be granted. However, the respondents have stated that the case shall be placed before the next CRC meeting which is to be held for the vacancies of 2013, for further consideration.

4. In such view of the matter since the authorities have already taken a decision to consider the matter once again nothing survives for adjudication in the matter, the OA is disposed of with a direction upon the authorities to place the matter before the next CRC meeting as and when the meeting is convened and the decision of the CRC shall govern the entitlement of the present applicant.

5. The OA is accordingly disposed of. No order is passed as to costs.

(BIDISHA BANERJEE)
MEMBER (A)

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