

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

OA. 350/00565/2016

Date of Order: 02.05.2016.

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

Gopal Kanti Das
Vs.
Union of India & Ors. (Posts)

For the Applicant : Mr. N. Roy, Counsel

For the Respondents : Mr. BB Chatterjee, Counsel

O R D E R (Oral)

This matter is taken up in 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. Heard both.

3. The applicant is aggrieved as his prayer for compassionate allowance being forward to by the Assistant Director of Postal Services on 19.05.2015 (Annexure A-10) was examined by Superintendent of RMS "H" Division and rejected without assigning any reason. His Disciplinary Authority was Sr. Superintendent of RMS "H" Division as would be evident from the removal order issued on 01.06.2005. Therefore the prayer was not examined by the Disciplinary Authority as the law requires. It was rejected by a lower authority not competent to consider the prayer.

4. ^{also} The applicant has preferred an appeal before the Chief Postmaster General which has also not been disposed of till date. The exact reason for not granting compassionate allowance to the applicant is not apparent from the material on record.

5. In such view of the matter, the order dated 18/19.02.2016 rejecting the prayer by a cryptic, non-speaking order is quashed. The matter is remanded back to the Disciplinary Authority to consider the representation seeking compassionate allowance, in accordance with law, and to pass a reasoned and speaking order within a period of 2 months from the date of communication of this order.

6. It is made clear that I have not expressed any opinion on merits of this matter. All points are kept open for consideration by the respondent authorities.
7. OA is accordingly disposed of. No costs.

(Bidisha Banerjee)
Member (J)

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