

19.9

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

LIBRARY

O. A. NO/350/ 1243 OF 2019

M.A-350/713/2019

1. Smt. Bharati Roy Pramanik wife of late Arabinda Roy Pramanik, aged about 52 years, by profession housewife
2. Shri Dayal Roy Pramanik son of Late Arabinda Roy Pramanik, aged about 19 years, by profession unemployed both residing at Vill. Barabangla, P.O. Jatigara, P.S. Sitai, Dist. Coochbehar, Pin - 736167, West Bengal.

...Applicants

-Versus-

1. Union of India, service through the Secretary, Ministry of Telecommunication and IT, Govt. of India, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.

2. The Chief Postmaster General, West Bengal Circle, Yogayog Bhawan, C.R. Avenue, Kolkata-700012.
3. Post Master General, North Bengal & Sikkim Region, Siliguri - 734001.
4. The Assistant Director of Postal Services (Rectt.), Office of the Chief Post Master General, West Bengal Circle, Kolkata - 700012.
5. The Superintendent of Post Offices, Cooch Behar Division, Cooch Behar - 736101.
6. The Postmaster, Coochbehar H.O., Cooch Behar - 736101.

...Respondents

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

No.O.A.350/1243/2019
M.A.350/713/2019

Date of order : 12.09.2019

Coram : Hon'ble Mrs. Bidisha Banerjee, Judicial Member

**BHARATI ROY PRAMANIK & ANOTHER
VS.
UNION OF INDIA & OTHERS**

For the applicant

Mr. P.C. Das, counsel

Mr. J.R. Das, counsel

For the respondents

Mr. B.B. Chatterjee, counsel

ORDER

This O.A. is preferred by a widow and her son to seek employment assistance on compassionate ground in favour of the son Dayal Roy Pramanik, applicant No.2 herein. The applicants have alleged that their prayer for employment assistance has not been considered by the authorities till date.

Ld. counsel for the applicant, therefore, would seek a direction upon the respondent authorities to issue orders on the pending representation in a time bound manner.

2. Per contra ld. counsel for the respondents would submit that the employee i.e. the husband of the applicant No.1 having passed away on 21.11.2013 and this application being filed in 2019, is hopelessly time barred.

3. Ld. counsels were heard and materials on record were perused.

B

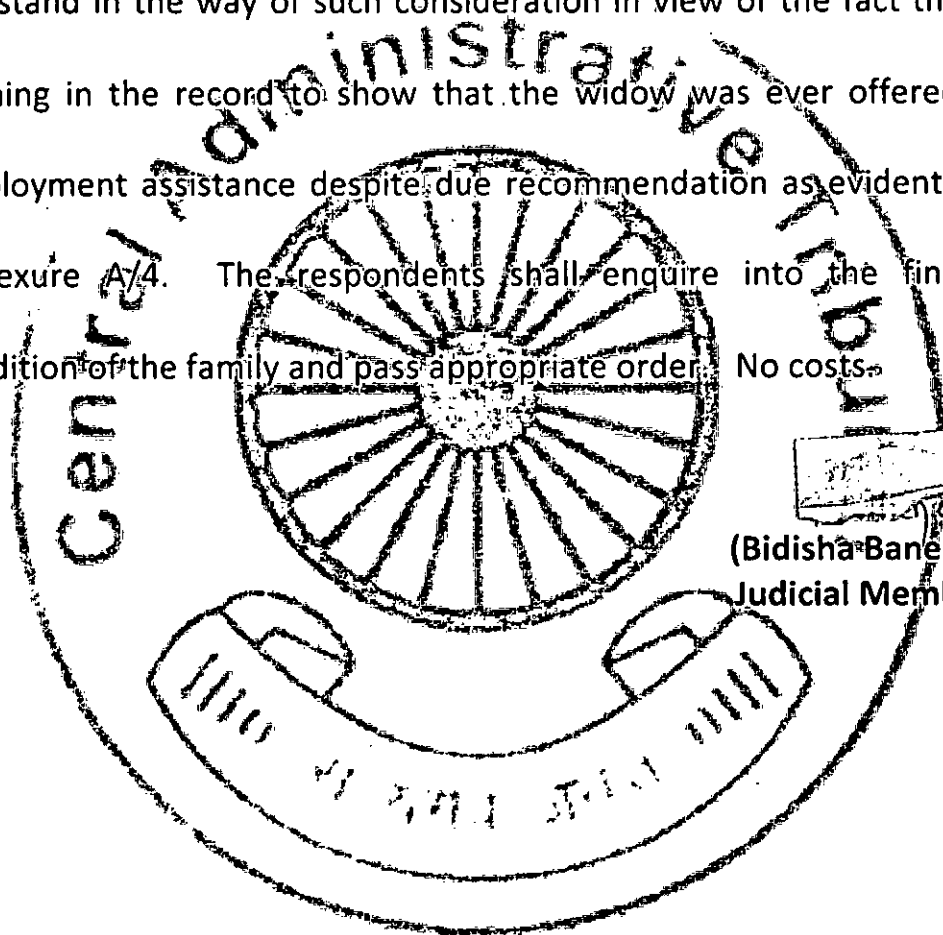
4. It transpired upon hearing both sides that the representation preferred by the applicant No.1 to seek compassionate appointment for her son was forwarded on 05.08.2015 by the Assistant Director of Postal Services(Recruitment), Office of the Chief Postmaster General, West Bengal Circle, Kolkata to the SPOs, Cooch Behar Division. It was recommended by the Postmaster General, Siliguri, as evident from a communication dated 04.08.2016 annexed as Annexure A/4 which says that *"the case has recommended by the PMG Siliguri at para 13 of Part III."* Since the matter was kept pending since 04.08.2016, the applicant No.1 renewed her prayer for consideration of appointment in favour of her son who had by then attained majority. Her repeated representations to the various authorities, particularly, S.D.I.P., Dinhata Sub Division failed to break the ice. Therefore, she has come up with the present application to seek employment assistance in favour of her son nominating him to become the bread winner for the family. The applicant has pleaded time and again that the entire family is virtually reeling under penurious circumstances, yet it failed to yield any response.

5. At hearing Id. counsel for the applicant would seek consideration in terms of a decision in O.A.No.587/2019 rendered on 12.06.2019 by this Tribunal.

6. Since the representation of the applicant No.1 is yet to be disposed of and no fruitful purpose would be served by calling for reply in the matter unless the competent authority considers the representation and decides it, I feel it appropriate in the interest of

B

justice to dispose of this present O.A. at the admission stage itself with a direction upon the S.D.I.P., Dinhata Sub Division or any other competent authority to look into the grievance of the applicants, consider the representations in accordance with law and to issue appropriate orders within a period of three months from the date of communication of this order. While doing so, the respondents shall keep in mind that the widow's prayer made in 2015 for herself should not stand in the way of such consideration in view of the fact there is nothing in the record to show that the widow was ever offered any employment assistance despite due recommendation as evident from Annexure A/4. The respondents shall enquire into the financial condition of the family and pass appropriate order. No costs.



(Bidisha Banerjee)
Judicial Member

sb