

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK,**

**ORDER SHEET**

COURT NO. : 1  
20/02/2020  
O.A./260/85/2020

NILAKANTHA SUTAR  
-V/S-  
D/O POST

ITEM NO:23  
FOR APPLICANTS(S) Adv. : Mr.D.K.Mohanty  
FOR RESPONDENTS(S) Adv.: Mr.A.C.Deo

Notes of The Registry	Order of The Tribunal
	<p>Heard learned counsel for the applicant. Mr.A.C.Deo, learned counsel entered appearance on behalf of the respondents. Registry is directed to reflect his name as respondents' counsel in the future cause list.</p> <p>Applicant's counsel submits that the applicant is aggrieved because of recovery of Rs.5000/- per month which is being done from his salary by the respondents without issuing any order to that effect and without show cause. it is submitted that he has filed representations dated 31.7.2018 (Annexure A/3) and 7.10.2019 (Annexure A/6) which are pending with the respondent No.3. It is further submitted by learned counsel for the applicant that in similar case in OA No. 138/2019, direction was given by the Tribunal to dispose of the representation. Such representation of the applicant in OA No. 138/2019 has been disposed of vide order at Annexure A/7 series.</p> <p>Learned counsel for the respondents submitted that he may obtain instruction in the matter and no impugned order has been challenged in this case.</p> <p>Taking into consideration the fact that since recovery is being made</p>

from the applicant by the respondents without any order as stated in the OA and taking into account the order dated 19.3.2019 passed by this Tribunal in OA No. 138/2019 under similar circumstances, and in view of the submissions made by learned counsel for the applicant, and without expressing any opinion on the merit of the case, we dispose of this OA with a direction to respondent No.3 to whom the representation dated 7.10.2019 (Annexure A/6) is addressed, to consider the said representation as per law taking into account the decision in the case of Rabi Narayan Choudhury (OA No. 138/2019) and pass a speaking order within two months from the date of receipt of the copy of this order. Till such decision is communicated to the applicant, no further recovery shall be made from the salary of the applicant. The applicant will be at liberty to send a copy of the order along with paper book to respondent No.3 within one week.

The OA is disposed of accordingly. There will be no order as to costs.

Urgent copy of the order be handed over to the counsels for both sides, by today.

( SWARUP KUMAR MISHRA)  
MEMBER (J)

( GOKUL CHANDRA PATI)  
MEMBER (A)

I.Nath

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