

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

ORDER SHEET

COURT NO. : 1

30/12/2020

O.A./260/568/2020

P SATYA NARAYANA
-V/S-
D/O POST

ITEM NO:1

FOR APPLICANTS(S) Adv. : Mr. L. Jena

FOR RESPONDENTS(S) Adv.: Mr. G.R. Verma

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsel for the applicant Mr. L. Jena and Mr. G.R. Verma, Ld. Counsel who entered appearance on behalf of the respondents through V.C.</p> <p>It is submitted by Ld. Counsel for the applicant that the applicant had worked in officiating capacity as Postal Inspector in two spells from 18.04.2017 to 17.10.2017 and again from 24.11.2017 to 22.05.2018. It is also claimed by the applicant that the applicant was getting salary as per FR-22 for working in officiating capacity for the post in question. He has challenged the impugned order vide Annexure-A/14, but to utter surprise and causing serious prejudice to the applicant, the authority recovered a sum of Rs.1,29,225/- from the monthly salary from December, 2019 in four monthly installments. His representation vide Annexure-A/13 has been rejected by the authority vide Annexure-A/14. It is submitted by the Ld. Counsel for the applicant that the guidelines of the department vide Annexure-A/18 has not been followed by the PMG and similarly placed persons have been given benefits as seen from Annexure-A/19 series. He claims that similar benefits should also be granted in his favour. Ld. Counsel for the applicant submits that the applicant is prepared to submit a comprehensive representation by taking all the grounds enclosing the relevant rules, regulations, guidelines and copy of this O.A within a period of ten days from the date of receipt of copy of this order to be addressed to respondent No.3 so that he can dispose of the representation in accordance with law.</p>

In view of the above submissions of the Ld. Counsels, and taking into consideration the grievance of the applicant, the O.A. is disposed of at this stage with liberty to the applicant to file a comprehensive representation to the competent authority/Respondent No.3 raising the grounds which have been taken in the O.A enclosing copies of the relevant rules, regulations, guidelines, or any other circulars along with copy of this O.A. If such a representation is filed within 10 days from receipt of copy of this order, the Respondent No.3/competent authority shall consider the entire matter in

proper perspective and dispose of the same by passing a reasoned and speaking order by taking into account the grounds taken by the applicant in the O.A also, copy of which shall be communicated to the applicant within three months from the date of receipt of the representation in question.

Although, the Ld. Counsel for the applicant had prayed for fixing for early disposal of the representation by respondent No.3, I had considered the submissions of Mr. Verma, Ld. Counsel for the respondents that some of the staffs and officers might have been affected due to Covid-19 Pandemic situation. Therefore, I do not want to give any further time or short the time, but the respondent No.3 is directed to dispose of the representation within a period of three months as directed. It is expected that no further extension of time shall be prayed for since it is submitted on behalf of the applicant that he has received the salary of Rs.1/- for the months of December, January & February.

The O.A. is disposed of accordingly without entering into the merit of the case.

Applicant is at liberty to send a copy of this order along with copy of the O.A. at his own cost to Respondent No.3. Free copy of this order be supplied to Ld. Counsels for both sides. The parties are to take follow up action

on the basis of this order, which will be uploaded in the website of this Tribunal.

(SWARUP KUMAR MISHRA)
MEMBER (J)

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