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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.109 of 1989

Date of decision 31st March, 1989.

1. Khageswar Mohanta, aged about 22 years
son of Guluram Mohanta, At and P.O.
Sama Masinabila, Via-Dhenkikote,
District-Keonjhar.

..... Applicant

-Versus-

1. Union of India represented by its
Secretary, Department of Posts,
Dak Bhavan, New Delhi.
2. Postmaster General, Orissa Circle,
At/P.O. Bhubaneswar, Dist. Puri
3. Superintendent of Post Offices,
Keonjhar Division, At/P.O./Dist. Keonjhar.
4. Sub-Divisional Inspector (Postal)
Ghatagaon, Sub-Division,
At/P.O. Ghatagaon, Dist. Keonjhar.

.... Respondents

For the Applicant ...

M/s. Devanand Misra,
Deepak Misra, R.N. Naik,
Anil Deo and B.S. Tripathy,
Advocates

For the Respondents. ..

Mr. A.B. Misra, Senior
Standing Counsel (Central)

C O R A M :

THE HON'BLE MR. B. R. PATEL, VICE-CHAIRMAN
AND
THE HON'BLE MR. K. P. ACHARYA, MEMBER (JUDICIAL)

1. Whether reporters of local papers may be allowed
to see the judgement ? Yes
2. To be referred to the Reporters or not ? *NO*
3. Whether Their Lordships wish to see the fair
copy of the Judgement ? Yes.

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:- J U D G M E N T :-

K.P.ACHARYA, MEMBER(J)

In this application under section 19 of the Administrative Tribunal's Act, 1985, the Petitioner prays for giving direction ^{to} the Opposite Party to pay the salary of the Petitioner from the date of his appointment and certain consequential benefits.

2. Shortly stated, the case of the Petitioner is that he is working as Extra-Departmental Packer at Talapada Sub-Post Office in the district of Keonjhar. Further case of the Petitioner is that he took over charge as E.D.Packer on 19th May, 1988 in Talapada Post Office (within the Dist. of Keonjhar) From the date of his joining till the date of ~~his~~ filing of the Petition his ^{Salary} ~~pay~~ has not been paid to him. Hence, he has come up with this application with the aforesaid prayer.

3. We have heard Mr. R.N.Naik, learned Counsel for the Petitioner and Mr.A.B.Misra, learned Senior Standing Counsel (Central). The learned Senior Standing Counsel has filed a Memo under the signature of Sri Anirudha Goswamy, Superintendent of Post Offices, Keonjhar Division stating that the applicant Shri Khageswar Mahanta was selected as ED Packer Talapada Post office by the Sub-Divisional Inspector of Post Offices, Ghatgaon Sub-Division on 14th May, 1988 and is working as such since 19.5.88. But unfortunately his allowances was not drawn from the above date as the said Sub-Divisional Inspector did not collect and forward the appointment papers of the said Shri Mahanta to the Postmaster Keonjhar Head Post office. However, the Postmaster, Keonjhar garh Head Office has since been asked to draw all the arrear

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allowances of Shri Mahanta and send it to Talapada for payment to him. It is also ascertained that his arrears have been drawn and sent to Talapada for payment.

4. In view of the facts stated in this Memo even though the application has become infructuous, yet the concerned authority should know that the applicant has worked since 14th May, 1988 so that the Petitioner should be paid his remuneration within due time. We wonder how the authority concerned in this matter would have reacted if his remuneration is not paid within the due time. We do not like to express any opinion regarding the person who is not before us but we would request the Post-Master General to cause an enquiry into this matter and take such action as deemed fit and proper against the person responsible for the delay caused regarding payment of the salary of the Petitioner.

5. A copy of this judgement be specially sent to the Post Master General in his name cover for his information and immediate necessary action. We have brought this fact to the notice of the Post-Master General so that in future the cases of this nature should not be recur.

6. Thus the application is accordingly disposed of leaving the parties to bear their own costs.

K. S. Das
31.3.89.
MEMBER (JUDICIAL)

B. R. PABEL, VICE-CHAIRMAN

g agree.

B. R. Pabel
31.3.89
VICE-CHAIRMAN

Central Administrative Tribunal
Cuttack Bench
31st March, 1989/Mohapatra

