

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH CUTTACK

Original Application No.384 of 1990

Date of Decision: 13.8.1993

Sripat Satpathy

Applicant(s)

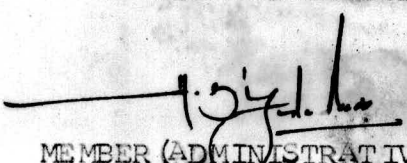
VERSUS

Union of India & Others

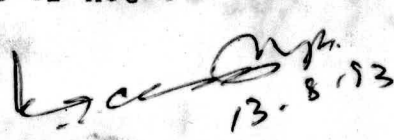
Respondent(s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? *no*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not ? *no*


MEMBER (ADMINISTRATIVE)

13 Aug 93


VICE-CHAIRMAN

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(8)

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Respondents

For the applicant

M/s.Devanand Mishra
Deepak Mishra
R.N.Naik,A.Deo
B.S.Tripathy
P.Panda
Advocates

For the respondents

Mr.A.K.Mishra
Standing Counsel
(Central Government)

C O R A M:

THE HONOURABLE MR.K.P.ACHARYA, VICE-CHAIRMAN

AND

THE HONOURABLE MR.H.RAJENDRA PRASAD, MEMBER (ADMN)

JUDGMENT

P. ACHARYA, VICE-CHAIRMAN, In this application under Section 19 of the

Administrative Tribunals Act, 1985, the petitioner prays to quash order dated 5.6.1989 contained in Annexure-4 and to issue a direction to OP No.4 to sanction leave period etc.

2. Shortly stated the case of the petitioner is that, while he was Sub Post Master at Nuagaon in the district of Phulbani, certain criminal case was instituted against him and disposed of by the S.D.J.M., Baliguda convicting the petitioner under ⁴⁰⁹ I.P.C. The matter was carried in appeal and the learned Session Judge, Phulbani acquitted the petitioner. Thereafter a departmental proceeding was initiated against the petitioner which is under challenge and sought to be quashed.

3. Petitioner invoked the jurisdiction of the High Court of Orissa by filing an application under Article 226 of the Constitution and the said case was transferred to this Bench and ultimately this Bench quashed the order of punishment. The petitioner has come up with this application with the aforesaid prayer.

4. We have heard Mr. B.S. Tripathy, learned counsel for the petitioner and Mr. A.K. Mishra, learned Standing Counsel. Mr. Tripathy told us that the petitioner does not intend to proceed in this case any further. Therefore the case is disposed of accordingly. No costs.

MEMBER (ADMINISTRATIVE)

13 Aug 93

VICE-CHAIRMAN

Central Administrative Tribunal
Cuttack Bench Cuttack
dated the 13.8.1993/ B.K.Sahoo