

(B)

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

Original application No. 79 of 1990.

Date of decision : July 15, 1991.

Paresh Chandra Sahu

Applicant.

Versus

Union of India and others ...

Respondents.

For the applicant ...

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

For the respondents ...

Mr. Aswini Kumar Misra,
Sr. Standing Counsel (CAT).

C O R A M:

THE HON'BLE SHRI JUSTICE AMITAV BANERJI, CHAIRMAN
A N D

THE HON'BLE SHRI I.P.GUPTA, MEMBER (ADMINISTRATIVE)

1. Whether reporters of local papers may be allowed to see the judgment ? Yes.
2. To be referred to the Reporters or not ?
3. Whether Their Lordships wish to see the fair copy of the judgment ? Yes.

JUDGMENT

AMITAV BANERJI, CHAIRMAN, This is an Application by Shri Paresh Chandra Sahu praying for direction to be issued to the respondents to pay him the allowance during the period he continues in put off duty and a further direction be issued to complete the proceeding vide Annexure-1 within 120 days as per the Departmental circular. In support of his contention he has stated in paragraph 4(e) that the grievance of the applicant is that though he has been put off duty from 23.8.1989 and the same has been accepted by Respondent No.3 vide his letter

dated 5.9.1989 yet charges were framed as late in January, 1990 and the same has been served on him and in paragraph 4(f) the applicant has stated that he made a representation to the Senior Superintendent of Post Offices, Sambalpur Division on 11.12.1989 to enquire into the matter as quickly as possible.

2. The applicant has filed another original application i.e. O.A.149 of 1991 on 13.5.1991 and in paragraph 4(e) thereof he has stated;

"That the charges were served on the applicant, an Inquiry Officer was appointed to conduct the enquiry and after completing the enquiry, the Inquiry Officer submitted the final inquiry report on 22.11.1990. In his inquiry report he gave the finding that both the articles of charge were not proved against the applicant."

In view of the above, the prayer (b) made in the present original application has become infructuous. The proceeding has been completed. In view of this matter no further orders are required to be passed in the present original application.

3. The question as regards the pay is taken up in the ~~xx~~ Original Application No.149 of 1991 in which notice has been issued to the respondents to show cause and that will take care of the consideration of question of payment of back wages. In the result thereof, O.A.79 of 1990 in respect of the prayer made for early decision in the enquiry proceeding has become infructuous and consequently, the original application is dismissed

7

but however there would be no order as to costs.

.....S. Chandra
.....
MEMBER (ADMINISTRATIVE)

Ach.
.....
CHAIRMAN



Central Administrative Tribunal,
Cuttack Bench, Cuttack.
July 15, 1991/Sarangi.