

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK**

Original Application No.180 of 1991

Date of Decision: 22.1.1993

Ajaya Kumar Mohapatra      Applicant

## Versus

Union of India & Others Respondents

For the applicant

Mr. Pradipta Mohanty,  
Advocate

#### For the respondents

Mr. Aswini Kumar Mishra,  
Standing Counsel  
(Central Government)

• • •

## C O R A M:

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

AND

THE HONOURABLE MR. S. R. ADIGE, MEMBER (ADMINISTRATIVE)

• • •

1. Whether the reporters of local newspapers may be allowed to see the judgment ? Yes
2. To be referred to reporters or not ? No
3. Whether Their Lordships wish to see the fair copy of the judgment ? Yes

• • •

JUDGMENT

(8)

MR. K. P. ACHARYA, VICE-CHAIRMAN, The petitioner was serving as Extra Departmental Branch Post Master in Kalasuni Post Office since 10.3.1976 in place of Shri Ramachandra Panigrahi who had been placed under suspension on 9.2.1976 on an allegation of misappropriation and ultimately Ramachandra was dismissed from service. Shri Ramachandra came up before this Bench to quash the punishment which formed subject matter of Original Application No. 47 of 1986. The punishment was quashed and the petitioner was allowed. disposed of on 14.9.1990. Consequently Ramachandra had to be reinstated to the post in question and thereby the petitioner had to vacate the said post. Hence this application has been filed with a prayer to adjust the petitioner in someother post office.

2. We have heard Mr. Pradipta Mohanty, learned counsel for the petitioner and Mr. Aswini Kumar Mishra, learned Standing Counsel appearing for the Central Government.

3. There was no other alternative left for the Bench but to direct Ramachandra for his reinstatement in view of the fact the punishment was quashed and necessarily the present petitioner had to vacate the post in question. It was told to us that Ramachandra has since retired in December, 1991. We would direct that the case of the petitioner be considered for appointment to the post in question if not already filled up or in the alternative he may be adjusted in someother post office if any vacancy occurs. Thus the application is accordingly disposed of. No cost.

4. Prayer made by Mr. Mohanty to grant backwages to the petitioner hereby stands dismissed on the principle of no work no pay.

*By Order of the Court*  
MEMBER (ADMINISTRATIVE)

Central Administrative Tribunal  
Cuttack Bench, Cuttack  
dated the 22.1.1993/B.K. Sahoo

*22.1.93*  
VICE-CHAIRMAN