

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

Original application No. 130 of 1994.

Date of decision : March 31, 1994.

Gopinath Behera ... Applicant.

Versus

Union of India and others ... Respondents.

(FOR INSTRUCTIONS)

1. Whether it be referred to the Reporters or not ?
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not ?

K. P. ACHARYA
VICE-CHAIRMAN.

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Respondents.

For the applicant ...

Mr. D. P. Dhalsamant,
Advocate.

For the respondents ...

Mr. Ashok Misra,
Sr. Standing Counsel (Central)

CO RAM:

THE HON'BLE MR. K. P. ACHARYA, VICE-CHAIRMAN

ORDER

K. P. ACHARYA, V.C. One Gunanidhi Sahukar who was functioning as Extra-Departmental Delivery Agent (E.D.D.A.), Narayanpur Sub-Office was put off from duty on certain allegations. In his place the applicant, Gopinath Behera was provisionally appointed. Vide order dated 8.10.1993 the services of the applicant were terminated ^{and} it was ordered that the said Gunanidhi Sahukar was reinstated ^{be} to service. Therefore, the applicant prays to quash the order contained in Annexure-2.

2. I do not like to keep this matter pending unnecessarily and therefore, I propose to finally dispose of the case.

3. I have heard Mr. D. P. Dhalsamant, learned counsel for the applicant and Mr. Ashok Misra, learned

Senior Standing Counsel(Central). The question of quashing of Annexure-2 does not arise. The authority who has recalled the suspension order is the only competent authority and that it does not warrant interference by this Bench. Therefore, the prayer on this account being devoid of merit stands dismissed. In case, there is any vacancy in any nearby Post offices and the applicant makes an application his case maybe considered favourably and appointment order be issued in his favour if he is found suitable.

4. Thus, this application is accordingly disposed of leaving the parties to bear their own costs.

Kya *copy*
31-3-94
.....
VICE-CHAIRMAN.

Central Administrative Tribunal,
Cuttack Bench, Cuttack,
March 31, 1994/Sarangi.