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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH; CUTTACK.

ORIGINAL APPLICATION NO. 498 OF 1995
Dated, Cuttack the 26th Day of June, 2002

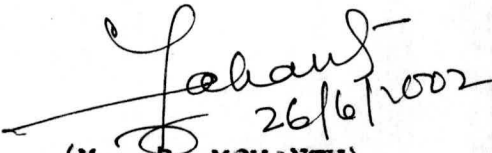
Sri Ram Pravesh Mahato,
Sub-Post Master ... Applicant

VERSUS

Union of India and others... Respondents

(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 Tribunal or not ? No.


(M. R. MOHANTY)
MEMBER (JUDICIAL)

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO.498 OF 1995
Dated, Cuttack the 26th Day of June, 2002

CORAM

THE HON'BLE SHRI MANORANJAN MOHANTY, MEMBER (JUDICIAL)

Shri Ram Pravesh Mahato,
S/o: Late Jyoti Mahato
At/PO: PS: Saintala,
Dist : Bolangir

.... Applicant

By the Advocate

.... M/s P. Mohanty,
D.N. Mohapatra,
G. Sahoo.

VERSUS

1. Union of India, represented
by the Director General Posts,
Dak Bhawan, New Delhi.

2. Superintendent of Post Offices,
Bolangir Division,
AT/PO/PS/Dist: Bolangir.

3. Chief Post Master General,
Orissa Circle, Bhubaneswar
At/PO: Bhubaneswar,
Dist : Khurda.

.... Respondents

By the Advocate

.... Mr. S.B. Jena, Ld. A.S.C.

ORDER

MR. M.R. MOHANTY, MEMBER (JUDICIAL): Heard Mr. G. Satapathy,
learned Counsel for the Applicant and Mr. S.B. Jena, learned
Additional Standing Counsel for Union of India, appearing
for the Respondents.

(2) The Applicant, Ram Pravesh Mahato, Sub-Post
Master, having faced a punishment under Annexure-11
dated 27.07.1995 preferred this Original Application
directly; without approaching the Appellate authority.

In the punishment order under Annexure-11 dated 27.07.1995

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(in a proceedings under Rule-16 of the C.C.S.(CC&A) Rules, 1965) the Disciplinary authority concluded that the Applicant being responsible for the loss of Government money should face a very deterrent action but, however, by taking into consideration the length of service of the Applicant, the disciplinary authority took a very lenient view in the matter and imposed a minor punishment ~~of~~ recovery of an amount of Rs.23,400/- in 36 equal instalments (at the rate of Rs.650/- per month) *from the salaries of the Applicant, &* with effect from August, 1995. While admitting this

Original Application (on 31st August, 1995) the operation of the punishment order under Annexure-11 dated 27.07.2002 was stayed (and as it appears, the said order is still operating in this case) and, as a consequence, no recovery has yet been made from the salaries of the Applicant within last seven years.

(3) All the points raised in this Original Application were available to be redressed by the Appellate Authority. But instead of doing that, the Applicant has approached this Tribunal directly and has wasted all the valuable times available at his disposal.

(4) Therefore, without entering into the merits of this case, the Applicant is hereby given liberty to prefer a properly constituted Appeal (through proper channel) within ²⁻~~one~~ month hence/by end of August, 2002.


(5) In the event the Applicant prefers an Appeal within the time fixed/by end of August, 2002, then the Respondents/Appellate Authority should give due consideration to said Appeal on merit; not withstanding the

[Signature]

late filing of the Appeal. Respondents are hereby given directions accordingly.

(6) It is, hereby, further ordered that till disposal of the Appeal in question, if the same is filed by end of August, 2002, the operation of the punishment order under Annexure-11 dated 27.07.1995 shall remain stayed.

(7) In the conclusion, this Original Application is disposed of in terms of above observations and directions. No costs.


(MANORANJAN MOHANTY)
MEMBER (JUDICIAL) 26/06/2002