

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A./T.A./R.A.No..... 379 1996.

Narayan Chandra Selhe.....Applicant(s)

Versus

Union of India.....Respondent(s)

Sr. No.	Date	Order with Signature
	27.5 96	REGISTER S Registrar
1. 28/5/96	Heard Shri P.K. Padhi learned Counsel for the Applicant and Shri Ashok Mohanty, learned Senior Standing Counsel (Central) for the Union of India. The applicant is going to retire on the afternoon of 31st May, 1996. The Superintendent of Post Offices, Cuttack North Division directed to recovery of Rs.2,400/- from the applicant on the ground that during the tenure of the applicant as Deputy Post Master, Jajpur Head Office, N.S.C V issue bearing No. 7 was presented for discharge on 4.11.1989. Some discrepancy was found by the applicant and the counter Assistant took identification and effected payment. There was a complaint of wrong payment. The Department conducted an enquiry in February, 1994 and the applicant received the charges under Rule 16. Ultimately,	1. P.O. for Rs 50/- has been filed. D 27/5/96. For Regn pl. D 27/5/96. S D 27/05/96 Registration S For Admin. with Interim orders pl. D 27/5/96. Bench

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Serial No. of Order	Date of Order	Order with Signature
		<p>the Divisional Superintendent of Post Offices, has ordered recovery of Rs. 2,400/-.</p> <p>There is an appeal pending against the order before the Director of Postal Services dated 20.5.1996 which is at Annexure-3. The appeal is very recent. It will be incorrect to consider the Original Application for admission before the departmental remedies are exhausted.</p> <p>It would be proper appropriate to dispose of the Original Application by giving a direction to the Director of Postal Services who is Respondent No.2 in this application. I accordingly, direct the Respondent No.2 to dispose of the appeal against the order of recovery of Rs. 2,400/- ordered by the Superintendent of Post Offices, Cuttack North Division vide Memo No. F4-2/94-95 dated 17.5.1996, within a period of 60(sixty) days from the date of receipt of a copy of this order. Till that time, recovery of the amount as per the order of the Respondent No.3, Supdt. of Post Offices, Cuttack North Division, Cuttack vide Order No. F4-2/94-95 dated 17.5.96 (Annexure-2) be stayed.</p> <p>Recovery of the amount is accordingly stayed till the disposal of the appeal filed before the Respondent No.2. As the applicant is retiring on 31st of May, 1996, it is agreed by the counsel for the applicant Sh. P.K. Padhi that to that extent the amount sought to be recovered namely Rs. 2400/-, there can be a holdback of an equivalent amount from the retirement dues namely DCRG of the applicant.</p>

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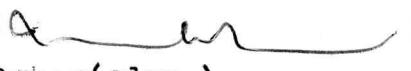
Serial
No. of
Order

Date of
Order

Order with Signature

With these observations and
and directions, the original application is
disposed of at the admission stage.

Hand over a copy of this order
to the learned counsel for both sides.


Member (Admn.)

Received copy
of order dt
28.5.96
Prashant
A.R.
31.5.96

Copy of order
may be given to
both counsel.


5/6/96

C-O

Received copy of
order 28.5.96
alongwith copy of
writ on behalf of
Mr. Arunachal
Sastri
5/6/96