

①

M/S. B.B. Patnaik
S.K. Dey
B. Behra
CAT / J / II
B.N. Behera

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A./T.A./B.A.No. 583 1996

U. Jagadale Applicant (s)

Versus

Union of India (or) Respondent (s)

Sr. No	Date	Order with Signature
		REGISTER 12.8.96 1 13.8.96 2. 28.8.96
		<p>Adjourned to 28.8.1996 at the request of Shri S.K.Dey.</p> <p>MEMBER (ADMINISTRATIVE)</p> <p>Heard Shri S.K. Dey, learned counsel for the applicant. In this petition the relief prayed for is 'to direct the Respondents to restore the applicant in his service till the dispute over Annexure-5 is settled and further direct the Respondents to pay Subsistence Allowance w.e.f. 11.7.1984 till the validity and legality of Annexure-5 is settled'. Annexure-5 is a representation to the Superintendent of Post Offices, Sambalpur over the delay in disposal of the disciplinary proceedings from 1984 onwards. But that Annexure has not become relevant in view of Annexure-6. By Annexure-6 dated 17.1.96, the punishment of removal from service from the date on which he was put-off duty was ordered.</p>
		<p>1. P.O. for Rs 50/- has been filed. 12.8.96. Order dt 9-8-96 Defects be removed by 12.8.96 Counsel for applicant was present. In view of memo filed on 12/8/96 this case has been ordered to be listed on 13.8.96 for Admn. with defects. For Regn. dt 12/8/96 12.8.96 Registrar</p>

Serial No. of Order	Date of Order	Order with Signature	
		<p>Against this order of punishment, the applicant has filed an appeal by Annexure-6/A dated 11.4.1996 and this appeal is pending. Once he was removed from service and the matter is subjudice before the Appellate Authority, there is no question of restoration of the applicant in his service. Shri Dey learned Counsel for the applicant has not pressed this point any further.</p> <p>With regard to payment of Subsistence Allowance w.e.f. 11.7.1984, Shri Dey, learned counsel for the applicant has brought to my notice a comprehensive representation to the Senior Supdt. of post Offices, Sambalpur Region, Sambalpur dated 26.8.1996. The Senior Superintendent of Post Offices is impleaded, in this application, as Respondent No.4. The matter regarding payment of Subsistence Allowance is under consideration before the Senior Superintendent of post Offices, Respondent No.4. Respondent No.4 is directed to dispose of the representation within a period of 12 (twelve) weeks from the date of receipt of a copy of this order. Learned Senior Standing Counsel Mr. Ashok Mohanty is present and is heard.</p> <p>O.A. is disposed of.</p>	<p>For Admn. & I.O. with defects Bn 12/8/96 Bench.</p> <p>For Adm. & I.O. with defects Adl 27/8/96 Bench.</p> <p>Order no-2, Dt-28.8.96</p> <p>A copy of Order may be given to both the Counsels Adl 29/8/96</p> <p>Received copy of order dt 28.8.96 along with OAG on behalf of Mr A. Mohanty Srngi Sd/- 30.8.96</p> <p>Remitted copy Adl Advocate General applied</p> <p>A copy of Order dt-28-8-96 may be sent to R-4 by post.</p> <p>Adl 18/11/96 S.O-(3) 18.11.96</p> <p>MEMBER (ADMN.)</p>