

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Cor. Dt. 21.2.03

For Hearing.

24.4.03

No time for the day, call on

9.5.03.

Vice-Chairman
Member (T)

Cor. Dt. 6.3.03

For Hearing.

ORDER DATED 09-05-2003.

None appeared on behalf of the Applicant; nor he was present ⁱⁿ person. This case has been in the list since 5.12.2002 and numerous adjournments have been given at the request of the learned counsel for the Applicant and on few occasions at the request of the learned Additional Standing Counsel appearing for the Respondents. This being an year old case of 1996 and as Mr. U.B. Mohapatra, learned Additional Standing Counsel, present today for hearing and as the applicant is absent without seeking leave of this Tribunal, we have heard the case with the aid and assistance of Mr. Mohapatra and perused the records.

The grievance as ventilated by the applicant in this O.A. is that *he was rotting under put off duty and no charge-sheet has been issued so far; nor he has been intimated of the facts leading to his being placed under put off duty*. He had therefore, prayed for declaring his put off duty order as *unjustified and illegal* and to direct the Respondents to treat the period of put off duty as duty and to grant him backwages.

....

Cor. Dt. 28.3.03

may kindly be perused

For Hearing.

Cor. Dt. 24.4.03

For Hearing.

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Dr. 21.9.5.3

Copy of order
issued for counsels
for both side.

23/5

By
23/5

From the counter submitted by the Respondents and the oral submissions made by Mr. Mohapatra, learned Additional Standing Counsel appearing for the Respondents it is found that the Respondents had charge-sheeted the applicant on account of his misconduct i.e. committing money order fraud; which he admitted in his written statement of defence dt. 1.11.1995 and 16.5.1996 during enquiry letters and in his addressed to the Respondent No. 2. It also reveals from the counter that the Applicant not only had admitted his guilt, he had also refunded the amount of Rs. 8000/- which he had misappropriated as alleged.

During the course of hearing, learned Additional Standing Counsel Mr. Mohapatra has further disclosed that the disciplinary Authority has already completed the proceedings against the Applicant and has passed orders removing him from service.

In view of the above facts and circumstances of the case, the prayers made in this Original Application do not survive anymore to be adjudicated by this Tribunal in this C.A. Hence this C.A. is rejected. No costs.

Vice-Chairman

Member (Judicial)