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M/S. S. K. Munk
D. P. Das

CAT / 1111

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A./T.A./R.A. No..... 855 1996

Pavamananda Nanda, Applicant(s)
Versus
Union of India, Respondent(s)

Sr. No.	Date	Order with Signature
	27.11.96	<p>REGISTER</p> <p><i>S</i> Registrar</p> <p>1. P.O. for Rs 50/- filed</p>
1	28.11.96	<p>Heard Shri D.P.Das, learned counsel for the applicant. The prayer in this Original Application is to quash Annexures 1 - 3. Annexure A/3 is the order of punishment by which the applicant was awarded the punishment of reduction of his pay by two stages in the time scale of Rs.1400-40-1800-EB-2300 for a period of one year with effect as from 1.11.1996. This order was passed on 20.11.1996. Admittedly there is a statutory remedy available to the applicant. He has not so far filed any appeal. He has also not stated anywhere that he is going to waive the right of appeal. It is stated by the counsel for the applicant that the applicant will file an appeal before the appellate authority within the period prescribed by the statute. He can only approach this Court after the appellate authority considers his appeal and passes an order. Therefore,</p> <p><i>D.P.</i> 27.11.96</p> <p>for Regn - pl.</p> <p><i>D.P.</i> 27.11.96</p> <p>for Admin. & 10</p> <p><i>D.P.</i> 27.11.96</p> <p>Registration <i>S</i></p> <p><i>D.P.</i> 27.11.96</p> <p>Bench</p>

Serial No. of Order	Date of Order	Order with Signature	
•1	28.11.96	<p>this Original Application cannot be admitted.</p> <p>Learned counsel for the applicant makes a prayer for protection against the order of punishment till the disposal of the appeal he is going to file before the appellate authority. After filing the appeal before the Director, Postal Services, the designated appellate authority, the applicant may make a prayer for not giving effect to the order of punishment till the disposal of the appeal. On such a petition made before him the said appellate authority shall consider the same on merits after giving an opportunity to the applicant of being heard and pass a reasoned order. Liberty is granted to the petitioner to approach this Tribunal if he is aggrieved by such an order.</p> <p>With this direction this Application is disposed of at the admission stage itself.</p> <p>Shri S.C.Samantray, learned Additional Standing Counsel for the Respondents is present and is heard.</p> <p>Hand over copies of the orders to the counsel for both sides.</p> <p><i>Prabhakar</i> MEMBER (ADMINISTRATIVE)</p>	<p>free copy of the order dt. 28.11.96 may be handed over to the applicant's counsel & to Mr. S.C.Samantray with OA copies Ran 27/12/96</p> <p>02.12.96 S-0</p> <p>Received + copy 11.12.96</p> <p>5/12/96 Received 01/12/96 with OA</p>