

9

CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 7 OF 1999
Cuttack this the 8th day of July, 1999

(PRONOUNCED IN THE OPEN COURT)

Geetanjali Pati

Applicant(s)

-Versus-

Union of India & Others

Respondent(s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? *Yes*,
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? *NO*

Somnath Som
(SOMNATH SOM) *8.7.99*
VICE-CHAIRMAN

G. Narasimham
(G. NARASIMHAM)
MEMBER (JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 7 OF 1999
Cuttack this the 8th day of July, 1999

CORAM:

THE HON'BLE SHRI SOMNATH SOM, VICE-CHAIRMAN
AND
THE HON'BLE SHRI G.NARASIMHAM, MEMBER(JUDICIAL)

...

Kumari Geetanjali Pati, aged 18 years,
D/o. Raghunath Pati, Vill/PO: Balaguda
Via: Bolani, District: Keonjhar

...

Applicant

By the Advocates : Mr. P.K.Padhi

-Versus-

1. Union of India represented by it's
Chief Post Master General (Orissa Circle)
At/PO: Bhubaneswar, Dist: Khurda-751001
2. Postmaster General (Sambalpur Region)
At/PO/Dist: Sambalpur
3. Superintendent of Post Offices,
Keonjhar Postal Division,
At/PO/Dist: Keonjhar 758001

...

Respondents

By the Advocates : Mr.S.Behera,
Addl.Standing Counsel
(Central)

...

ORDER

MR.G.NARASIMHAM, MEMBER(J): Heard Shri P.K.Padhi, learned
counsel for the applicant and Shri S.Behera, learned
Addl.Standing Counsel appearing for the respondents. Also
perused the records.

Applicant, Geetanjali Pati prays for issue of
direction to Res.3 to consider her candidature for the
post of Extra Departmental Branch Post Master, Balaguda

B.O. and also for direction to pay her allowances for the period she worked as substitute from 1.10.1998 to 8.1.1999.

2. There is no dispute that her candidature was considered, but she was not selected. Hence the first prayer need not be considered and is accordingly disposed of.

3. There is no dispute that she worked as substitute from 1.10.1998 to 8.1.1999. According to Department, she worked during that period as substitute unauthorisedly. The fact however, remains even though she worked as substitute unauthorisedly, the Department ~~derived benefit from her work~~ should have taken steps by preventing her from working. In our considered view, she is entitled to remuneration/allowance for the period from 1.10.1998 to 8.1.1999.

4. Respondents are therefore, directed to pay allowance/remuneration to the applicant for the period indicated above within a period of 60 days from the date of receipt of this order. In the result the application is allowed in part, but without any order as to costs.

Somnath Somp
(SOMNATH SOMP)
VICE-CHAIRMAN

B.K. SAHOO

G.Narasimham
(G.NARASIMHAM)
MEMBER (JUDICIAL)