

## FORM NO - 4

(See Rule 12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH**ORDER SHEET**Original Application No. 204 of 199200Applicant (s) N. Raghbir Rao Respondent (s) Learned of. Indra RaoAdvocate for Applicant (s) Mr. P. K. Padhi Advocate for Respondent (s) 

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
<p><del>P.O/B.D. for Rs.50/- filed for Registration please.</del></p> <p><u>On Memo</u></p> <p><u>24.4.</u></p> <p><u>For A.S. Anderson Estay</u> <u>copy served.</u></p> <p><u>On Memo</u></p> <p><u>24.4.</u></p>	<p><b>REGISTER</b></p> <p><i>Rejandee</i> <i>by Registrar</i></p> <p><u>Or. No. 1 dated 25.4.2000</u></p> <p>Seen the petition. Heard Shri P.K.Padhi, learned counsel for the petitioner. After going through the petition and hearing Shri Padhi we feel that this O.A. can be disposed of at the admission stage, <u>in view of this</u> &amp; the averment made in the Original Application and the relief asked for. In view of this we have also heard Shri A.K.Bose, learned Sr.Standing Counsel, on whom a copy of the petition has been served.</p> <p>The case of the applicant is that he was working as S.P.M., Nimakhandi Post Office. Because of certain alleged lapse on his part the departmental proceedings initiated against him under Rule-16 <del>if</del> of CCS(CCA)Rules and at the conclusion of the departmental proceedings, an amount of Rs. 29,851/- has been ordered to be recovered from the salary of the applicant in 30 instalments at the rate of Rs.1000 per month. Against this order the applicant has filed an appeal before the Director of Post Services, Berhampur (Res.2) on 16.2.2000 and even though more than one month is over the appeal has not been disposed of. It has been submitted by the</p>

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<p>Free copy of the order dt. 28.4.2000 given to the both counsels &amp; sent to all opp. parties with application copy by regd. post/MS.</p> <p>Cts for Govt Counsel Particulars not available.</p> <p>27/4 P. Preparatory S. 29/4/2000</p>	<p>petitioner that in accordance with D.G.Posts circular dated 14.12.1999 his appeal should have been disposed of within a period of one month, but even though his appeal has been pending more than two months, no order on this has been passed. In view of this the applicant in this O.A. has prayed for a direction to Res.2 to dispose of the appeal as also stay operation of the order of recovery.</p> <p>After hearing learned counsel for both sides we make it clear that notwithstanding filing of this Original Application the appellate authority will be free to dispose of the appeal dated 16.2.2000 of the applicant and in view of this we direct the appellate authority (Res.2) to dispose of the said appeal within a period of 60 (Sixty) days from the date of receipt of a copy of this order, in case the said appeal is still pending with him. We also direct that <del>excessive</del> recovery from the salary of the applicant should not be effected till the date of disposal of the appeal.</p> <p>With the above direction, the O.A. is disposed of at the admission stage itself.</p> <p><i>J. V. S. 28/4/2000</i> VICE CHAIRMAN MEMBER (JUDICIAL)</p>