

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Free copy of order
dt. 3/1/02 issued to the
counsel for both side.

Prop
S.O.

By
4/1/02

For orders on Memo.
Interim order is continuing.

Bench

By
7/1/02

1) Annexures in the
Counter filed but
copy not served on
Petitioner Counsel.

2) Rejoinder to the
Counter filed. Copy
Served.

Bench

By
14/2/02

1) For admission and hearing.
2) Written argument by
Petitioner Counsel filed.
Copy not served.
3) Receipt reg. service of
annexure copies not filed
by respdt. Counsel.

Order dated 18.2.2002

Copies of Annexures to the counter
served on the Advocate for the Applicant since
15th January, 2002. Shri B.K.Bal undertakes to
file receipt thereof within a period of 10 days.
The matter is fixed to 11/3/2002 for final
disposal at the admission stage.

MEMBER (JUDICIAL)

Order dt. 11.3.02

Call on 9/4/2002 for final
disposal at the stage of admission.

Member (J)

Order dated 9.4.2002

Applicant, who was continuing as
Assistant Manager of B.N.R. (Heritage) Hotel
at Puri, had to work under the orders (not
sanctioned order/enhanced messing allocation)
of the authorities and it is his case that
sanction order came later, giving prospective
effect; as a result of which his entire actions,
taken under the not final order, were treated
to be bad for which recoveries were ordered
to be made from his salaries. It is the
further case of the applicant that he was not
called to the Table Reconciliation, as a result

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

1) For admission and hearing.

2) written argument by petitioner counsel filed - copy not served.

Bench

My
8/4/02

several accounts could not be reconciled. When recoveries were ordered to be made, the applicant approached this Tribunal in the ^{Original Application.} present. ~~Therebefore~~, however, the applicant had approached ~~the~~ Respondent No. 3 through a representation for redressal of his grievances, which is still pending. However, by virtue of the interim order passed by this Tribunal in the present O.A. recoveries from the salaries of the applicant have been stayed.

Heard Shri A. Das, the learned counsel for the Applicant and Shri B. Pal, the learned senior counsel, assisted by Shri B. K. Bal, learned Addl. Standing Counsel, on behalf of the Respondents (Railways).

While taking up this matter for final disposal, Shri Pal, very fairly submitted that all the grievances of the Applicant can ~~as~~ well be redressed by the departmental authorities and, therefore, this matter should be remanded to the Respondents, particularly, Respondent No. 3 for reconsideration of the matter.

In consideration of submissions made by the learned counsels for the parties, this matter is remanded to Respondent No. 3, with a direction to reconsider the entire matter, for which the Applicant is also directed to file a consolidated/detailed representation before Res. No. 3 within a period of one month hence. Since the issues involved in this case ~~requires~~ reconciliation of amounts/account, the Applicant should also be given an opportunity of being ~~heard~~ in person, by Respondent No. 3.

Respondent No.3 is further directed to consider the representation to be filed by the applicant, as directed above, by giving him an opportunity of being heard, and pass necessary order, after taking a final decision in the matter. Till final order is issued by Respondent No.3, no recovery shall be made from the salaries of the Applicant, for which direction is hereby issued.

With the above observations and directions this O.A. is disposed of; but without any order as to costs.


09.04.2002
MEMBER (JUDICIAL)

copies of order
09.04.02 issued
to the Counsel for
both sides.


P.D.
S.O.

NY
10/4/02