

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

ORDER SHEET

Original Application No. 343 of 2002
 Applicant (s) Pradeep Kumar Panda Respondent (s) Union of Indiacem
 Advocate for Applicant (s) Mr. T. Rath Advocate for Respondent (s) _____

NOTES OF THE REGISTRY

**LP.O/B.D. for Rs.50/- filed
For Registration please.**

Handwritten initials and signature

Handwritten signature

On Memo

*Defects not removed
(English translation
of A-3 and A-5 not filed)*

*DS
16/5/02*

Bench

ORDERS OF THE TRIBUNAL

REGISTER

Registrar

1. ORDER DATED 17-05-2002.

Applicant, an EDBPM in Mayurbhanj district, was convicted u/s.148, 325/149 and 323/149 of the Indian Penal Code and therefore, he was dismissed from service vide Annexure-1, dated 31-12-1991. The Applicant carried the matter of his conviction to the Hon'ble High Court of Orissa in CrI. Appeal No. 98/91; which was decided on 18-1-2001. On perusal of the Appellate Court Judgment, (Annexure-2) it appears that the Applicant was acquitted on benefit of doubt. Thereafter, on consideration of the representation of the Applicant, he was reinstated to service, under Annexure-4, dated 25-6-2001. However, he has been denied the wages for the intervening

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

periods. In obedience of the said reinstatement order, under Annexure-4, dated 25-6-2001, the Applicant is presently continuing to serve as EDB PM. After his reinstatement, the Applicant has ~~represented~~ ^{represented} (under Annexure-5, dated 15-10-2001) ^{^ 7/8} to the authorities to get the wages of the intervening periods and it is the case of the Applicant that no action has yet been taken on the said representation, at Annexure-5; ^{for which} he has filed the present Original Application for redressal of his grievances. Since the representation, under Annexure-5, dated 15-10-2001 is pending with the Respondents, this Original Application is premature. However, in the facts of this case, this case is disposed of with a direction to the Respondents to consider the representation of the Applicant, under Annexure-5, dated 15-10-2001 and pass appropriate orders, within a period of six months hence.

In the peculiar facts and circumstances, this Original Application is directed to be Regd. for statistical purposes and a number be given.

Copies of this order alongwith copies of the Original Application alongwith its annexures be sent to the Respondents, at the cost of the Applicant, by Regd. Post with AD. Advocate for the Applicant Mr. Rath, undertakes to file the required postages by 24.5.2002 for transmission of copies of this order alongwith copies of the Original Application with its annexures to the Respondents.

Copies of this order be also given to the Advocate for the Applicant Mr. Rath and learned Additional Standing Counsel Mr. S. Behera (on whom a

copy of this Original Application has been served by
24-5-2002.

[Signature] 19/05/2002
(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)

Copy of order
dt. 17/5/02 issued
to the Counsel bar
both side.

S.O.

[Signature]
21/5/02

The copy of order
dt. 17/5/02 and
OA copy issued to
all the respects.
by Regd. A.D. Post.

[Signature]
S.O.

[Signature]
3/6/02