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OA No.84 of 2008  
Thandaram Pradhan .... Applicants  
Versus  
Union of India & Others .... Respondents

Order dated: 17<sup>th</sup> February, 2010.

C O R A M  
THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (A)

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Applicant is a Postal Assistant at present working in the office of the Jharsuguda HO, Jharsuguda. By filing the present OA U/s.19 of the A.T. Act, 1985 he assails the order of punishment under Annexure-A/4 dated 29.01.2008 passed by the Disciplinary Authority in a Rule 16 of CCS(CC&A) Rules, 1965 proceedings initiated against him. He also sought direction to the Respondents to refund him the recovered amount of Rs.2000/- As the applicant approached this Tribunal without availing the opportunity of appeal, by order dated 25<sup>th</sup> February, 2008, liberty was granted to the applicant to file appeal. Today, by filing copy of the order dated 3<sup>rd</sup> April, 2008 it has been brought to the notice of this Tribunal that in appeal preferred by applicant, the appellate authority ordered as under:

“Keeping in view, the above lapses in the process of charge sheet I order for ‘denovo’ proceedings from the stage of charge sheet following due procedure.”

2. In view of the aforesaid order of the Appellate Authority, there remains nothing further to be adjudicated in this OA. Hence OA is disposed of as infructuous with liberty to Applicant to re-agitate, if so advised, after finalization of the proceedings.

3. This order is passed after hearing Mr. D.P.Dhalsamant, Learned Counsel for the Applicant and Mr. U.B.Mohapatra, Learned Senior Standing Counsel appearing for the Respondents.

(C.R.MOHAPATRA)  
MEMBER (ADMN.)