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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

Original Application No.824 of 2010
Cuttack this the 11th Day of December, 2012

CORAM

Hon'ble Dr.Ramesh.Chandra Panda, Member(A)
Hon'ble Mr.Ashok Kumar Patnaik, Member(J)

Sri Manohar Gouda, aged about 47 years, S/o. Sri Harischandra Gouda, resident of Village/Post-Badatemers, Via-Jharigaon, Distirict-Nowrangpur, Orissa-764 076

Applicant
(Advocate:Mr.P.K.Padhi)

-Versus-

1. Union of India
represented through the Director General of Posts
Dak Bhawan,
Sansad Marg
New Delhi-110 001
2. Director of Postal Services
Berhampur Region
At/PO-Berhampur
Dist-Ganjam,
Orissa-760 001
3. Sr.Superintendent of Post Offices,
Koraput Division,
At/PO-Jeypore
Dist-Koraput
Orissa
PIN-764 001

Respondents

(Advocates: Mr.U.B.Mohapatra, SSC)

ORDER(ORAL)

Dr.Ramesh Chandra Panda, Member(A):

Sri Monohar Gouda, applicant herein, has been removed from service by the 3rd Respondent. Vide Memo dated 9.6.2004 he had been put under off duty in contemplation of initiation of disciplinary proceedings under Rule-12(1)(a) of GDS (Conduct & Employment) Rules, 2001, which was subsequently ratified by the order dated 16.6.2004.

2. We have heard Shri P.K.Padhi, learned counsel appearing on behalf of the applicant and Shri U.B.Mohapatra, learned Senior Standing Counsel appearing on behalf of the Respondents and perused the materials on record.
3. The brief issue raised during the hearing to-day is that applicant has sought a legible copy of the report of the Inquiry Officer vide his letter dated 1.10.2007 (Page 33

My order

of the Paper Book) and the same has not been supplied to him. It is, therefore, argued on behalf of the applicant that if legible copy of the Inquiry Officer's report is made available, the applicant would submit his representation thereon within a period as may be prescribed by the Respondents. Once such a representation is received, the Respondents would be at liberty to take a final decision in the matter. This particular prayer of the applicant has been accepted during the hearing by the learned counsel for the Respondents who submits that four weeks' should be granted to the Competent Authority to furnish a legible copy of the Inquiry Officer's report to the applicant calling for his representation.

4. In view of the above submissions made by the learned counsel for the applicant and accepted by the learned counsel for the Respondents, it is not necessary for us to go into the detailed merit of the case and other grounds urged by the applicant in the O.A. It is, therefore, necessary for us to dispose of the present Original Application only with direction to the Respondents to supply a legible copy of the IO's report to the applicant within a period of four weeks from the date of receipt of a certified copy of this order and thereafter applicant should be given another period of four weeks to submit his representation and on receipt of the said representation, within nine weeks thereafter, the Respondents would be at liberty to take a final decision in the matter.

5. In terms of our above orders and directions to the Respondents and the applicant, the O.A. is disposed of, leaving the parties to bear their respective costs.


(ASHOK KUMAR PATNAIK)
MEMBER(J)


(DR.RAMESH CHANDRA PANDA)
MEMBER(A)

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