

8

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

O.A. No.24 of 2011

Cuttack this the 21st day of February, 2013

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)

HON'BLE MR.R.C.MISRA, MEMBER (ADMN.)

Prasanna Kumar Biswal,
Aged about 35 years,
Son of Rankanath Biswal,
At/Po.Sial,
Via-Balugaon,
Dist.Puri-752 001.

.... Applicant

By the Advocates: Mr.Biswajit Parida,S.K.Mohanty

-VERSUS-

Union of India represented through -

1. The Chief Postmaster General,
Orissa Circle,
Bhubaneswar,
Dist.Khurda.
2. Senior Superintendent of Post Offices,
Puri Division,
At/Po/Dist.Puri.
3. Inspector of Post Offices,
Balugaon,
Dist. Khurda.
4. Sub Postmaster,
Banpur SO,
At/Po.Banpur,
Dist.Khurda.

..... Respondents

By the Advocates: Mr.U.B.Mohapatra

12/2

9

ORDER**A.K.PATNAIK, MEMBER(I)**

Heard Mr. B.Parida, Learned Counsel appearing for the Applicant and Shri U.B.Mohapatra, Learned SENIOR Central Government Standing Counsel for the Respondents and perused the records.

2. The case of the applicant, in nut shell is that he had worked as substitute GDS Packer in Banpur SO under Khurda HO in Puri Postal Division in place of the regular employee of the said Post Office but he had not been paid his salary from 22.12.2009 to 31.1.2010. Hence by filing this OA, the applicant while seeking direction to the Respondents to release his salary for the aforesaid period has also prayed to direct the Respondents to allow the applicant to work in the said post till original incumbent Shri Jitendra Kumar Brahma takes over the charge of the post.

3. Respondents by filing counter contest the case of the applicant in which it has been stated that the original incumbent (Jitendra Kumar Brahma) proceeded on leave by providing the present applicant as his substitute from 27.11.2009 to 23.2.2010. Being dissatisfied with the performance of the applicant the inspector of posts Balugaon Sub Division terminated such temporary arrangement and another Shri Raghunath Pradhan to work as substitute in place of the applicant vide order dated 22.12.2009. On consideration of his representation in

bAe

10

compliance of the order of this Tribunal dated 10.11.2010 in OA No.687 of 2010, the applicant was paid his dues for the period he had worked as substitute i.e. from 28.11.2009 to 21.12.2009 vide memo dated 26.11.2010.

4. No contrary document to the document placed at Annexure-R/2 dated 22.12.2009 with regard to termination of the substitute engagement, has been placed by the applicant so as to hold that the applicant worked for the period in question but he has not been paid his salary. Similarly the original incumbent was on leave from 27.11.2009 to 23.2.2010. In view of the above, we have no scintilla of doubt that the applicant is ^{not} entitled to any of the reliefs claimed in this OA. Hence this OA stands dismissed by leaving the parties to bear their own costs.



(R.C.Misra)
Member (Admn.)



(A.K.Patnaik)
Member (Judl.)