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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O.A. No.150 of 2011

Bijay Kumar Dehuri ....Applicant

-Versus-

Union of India & Others. .... Respondents

For the Applicant: M/s.P.K.Padhi, M.Rout, J.Mishra, Counsel.

For the Respondents: Mr.S.Barik, ASC

(For details refers the cause title of the OA]

Order dated the 21<sup>st</sup> March, 2011.

C O R A M

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

A N D

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

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Anticipating coercive action before any decision is taken

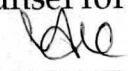
on the reply submitted by the Applicant in Annexure-A/7 dated 16-03-2011, to the show cause notice under Annexure-A/6 dated 17<sup>th</sup> February, 2011, the applicant has approached this Tribunal in the present OA seeking to quash the Annexure-A/6 dated 17<sup>th</sup> February, 2011 and to direct the Respondents to allow the applicant to continue as GDSBPM of Chudakuti Palasa Branch Post Office in account with Dhamnagar Sub Post Office. By way of interim relief he prays that pending final decision on this OA the order at Annexure-A/6 be stayed. Copy of this OA has been served on Mr. S.Barik, Learned ASC for the Union of India appearing on notice for

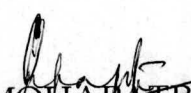
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the Respondents. Considered the rival submissions of the parties and perused the materials placed on record. We are of the considered opinion that this OA deserves to be dismissed for being premature. This is because pursuant to the show cause under Annexure-A/6, Applicant submitted his reply under Annexure-A/7. The decision of the competent authority is yet to <sup>be</sup> known and, as such interfering in the matter at this stage, would tantamount to encroaching upon the jurisdiction and authority of the Respondents which is not permissible in the eyes of law. In the above circumstances, ordinarily we would have dismissed this OA but considering the submission of Learned Counsel for both sides this OA is disposed of at this admission stage with direction to the Respondents that no coercive action to the detriment of the applicant shall be taken before any decision is taken on the reply under Annexure-A/7 of the Applicant, which decision can be taken by the Respondents, as submitted by Mr. Barik, Learned ASC within a period of one month.

Send copies of this order along with copy of the OA to the Respondents and free copies of this order be given to Learned Counsel for both sides.

  
(A.K.PATNAIK)  
Member (Judicial)

  
(C.R.MOHAPATRA)  
Member (Admn.)