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O.A. No.192/2011

ORDER DATED 6th OF MAY, 2011

Harischandra Samal.....Applicant
Vrs.
Union of India & OthersRespondents
Coram: HON'BLE MR. C.R. MOHAPATRA, MEMBER ADMN.
&
HON'BLE MR. A.K. PATNAIK, MEMBER JUDL.

Heard Sri D.K. Mohanty, Ld. Counsel for the applicant and Sri S. Mishra, Ld. Addl. Standing Counsel appearing on notice for the Respondents on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. This Original Application has been filed by the applicant with the following prayer :-

- "(i) To direct the Respondents 1 to 3 to refund Rs.14000/- with 18% cumulative penal interest to the Applicant forthwith;
- (ii) To direct the Respondents to start departmental proceedings against the Respondent No.4 in not depositing the amount in compliance of the letter under Annexure-A/2;"

3. Sri Mohanty, Ld. Counsel for the applicant submits that for the above grounds the applicant has submitted representation dated 06.04.2009 Annexure- A/3. The said representation is pending for disposal. Having received no response, the applicant has approached this Tribunal by filing the present O.A. Since the representation of the applicant is pending before the Respondent No.3, he prays to direct the Respondent No.3 to consider the pending representation of the applicant at Annexure-A/3 and pass a reasoned order in terms of Rules/Directions/ Guidelines within a specified time.

4. Having regard to the submissions made and as agreed to by the Ld. Counsel for the parties, without going into the merit of the case at this stage it is considered that ends of justice will be met by directing Respondent No.3 to consider and dispose of the pending representation vide Annexure-A/3 and pass a reasoned order within a period of two month from the date of receipt of copy of this order. Ordered accordingly.

5. With the above observation and direction, this O.A. is disposed of at the admission stage itself. No costs.

6. Send a copy of this order along with copy of the O.A. to Respondent No.3 for compliance and free copies of this order be made over to the Ld. Counsel for the parties.


MEMBER JUDL.


MEMBER ADMN.

K.B