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O.A. No.351/2011

ORDER DATED 26th OF MAY, 2011

A. Satpathy Applicant

Vrs.

Union of India & Others Respondents

Coram:

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

Heard R. Bahal, Ld. Counsel for the applicant and Sri D.K. Behera, Ld. Addl. Standing Counsel on whom a copy of this O.A. has already been served on behalf of the Respondents on the question of admission.

2. In this Original Application the applicant has sought for the following relief :-

“(i) The Respondents may be directed not to recover the amount of Rs.6589/- from the salary of the applicant and the order passed by the Regional Director dtd. 18th Nov. 2010 and order dtd. 17.03.11 passed by the Superintending Archaeologist may be setaside.”

3. It reveals from the record that an amount of Rs.8000/- drawn by the applicant towards the T.A. advance is sought to be recovered, besides initiation of disciplinary proceedings. In this context the applicant preferred representation vide Annexure-A/5 series dated 05.05.2011 against the alleged recovery and at the same time has moved this Tribunal by filing the present O.A. seeking the relief as referred to above. During the course of hearing on admission Ld. Counsel for the applicant submitted that since the representations preferred by the applicant vide Annexure-A/5 series dated 05.05.2011 are pending before the

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authorities, in the fitness of things a direction may be issued to the Respondents Department to consider and dispose of the pending representation.

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 Respondent No.2 is directed to consider and dispose of the pending representation vide Annexure-A/5 series and pass a reasoned order as early as possible under intimation to the applicant. Until the representation as directed is disposed of no recovery shall be effected.

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 Respondents No.2 for compliance and free copies of this order be made over to the Ld. Counsel for the parties.

Allet
MEMBER JUDL.

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