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O.A. No.371/2011

ORDER DATED 9th DAY OF JUNE, 2011

Duryodhan Mahanta Applicant
Vrs.
Union of India & Others Respondents

Coram:

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

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Heard Sri N.R. Routray, Ld. Counsel for the applicant and Sri S.K. Ojha, Ld. Standing Counsel (Rlys.) on whom a copy of this O.A. has already been served on behalf of the Respondents and perused the materials placed on record.

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

(iv) “ (i) To quash the impugned order of recovery dated 19.05.2011 under Annexure-A/5;”

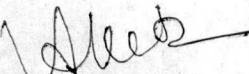
3. Sri Routray, Ld. Counsel for the applicant submits that for the redressal of his grievance the applicant has submitted representation vide Annexure-A/6. The said representation is pending for disposal before the Respondent No.2. Having received no response, the applicant has approached this Tribunal by filing the present O.A. During the course of hearing on admission Sri Routray Ld. Counsel for the applicant submitted that since the representation preferred by the applicant vide Annexure-A/6 is pending before the authorities, in the fitness of things a direction may be issued to the Respondents Department to consider and dispose of the pending representation vide Annexure-A/6 within a specified time.

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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/6 and pass a reasoned order within a period of 30 (thirty) days from the date of receipt of copy of this order under intimation to the applicant. Till such time the recovery order dated 19.05.2011 (Anexure-A/5) passed by the Respondent No.4 will be kept in abeyance.

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

6. Send a copies of this order along with copies of the O.A. to Respondents No.2, 3 & 4 through Speed Post (at the cost of the applicant) for compliance and free copies of this order be made over to the Ld. Counsel for the parties.


MEMBER JUDL.