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O.A. No. 781 of 2011

Aabindya Baidya & Ors.....Applicant

Vs

Union of India & Ors.....Respondents

Order dated: 22.11.2011

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (Admin.)

&

Hon'ble Shri A. K. Patnaik, Member(Judl.)

21 applicants have approached this Tribunal by filing the present O.A. against the fixation of TRCA of GDS as on 01.01.2006 of Rairangpur Head Office due to the fact that the earlier fixation of TRCA has been rectified and consequently, there is a direction from the Superintendent of Post Offices, Mayurbhanj Division to the Post master, Rairangpur to recover amounts indicated against 38 GDS employees, out of which 21 are the applicants in this O.A.

2. The prayers made by these applicants in this O.A. are as follows:

"i) quash the order dated 10.06.2011 and 31.10.2011 as at Annexure-A/1 and A/2 as it is illegal, arbitrary, unconstitutional and violative of principles of natural justice.

ii) direct the Respondents to allow the applicants to draw their respective pay as has been fixed

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earlier without making any reduction."

3. There is also a prayer for interim order not to recover the amount as calculated under Annexure-A/2.

4. We have heard Mr. P.K.Mohapatra, Ld. Counsel for the applicant and Mr. R.C.Swain, Ld. Additional Standing Counsel appearing for the Respondents, who has received a copy of this O.A., and perused the records.

5. Superintendent of Post Offices, Mayurbhanj Division, Respondent No.4, pointing out certain mistakes in the fixation of TRCA based on the work load, addressed a letter to Post master, Rairangpur, Respondent No.5 to rectify the mistake and also take action for recovery of the excess amount paid.

6. It is found from the record that no application/representation has been made so far by any of these affected persons to the concerned authorities apparently on the ground that no notice has been issued to them by the Postmaster, Rairangpur, Head Office.


7. On a query, Mr. P.K.Mohapatra, Ld. Counsel for the applicants submitted that applicants will approach the


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concerned authorities (Respondent No.4) by submitting individual representation ventilating their grievances within a period of 10 days and thereafter Respondent Nos. 4 and 5 should take immediate steps to redress their grievances and communicate their order/decision within a period of two weeks from the date of receipt of such representation.

8. Accordingly, as agreed to by the Ld. Counsel for the parties and without going into the merit of this case, we direct Respondent Nos. 4 and 5 to take action as indicated above and communicate their decision to the applicants within the aforesaid period.

9. However, it is made clear that pending disposal of their representations, no recovery, as proposed, shall be made.

10. With the above observation and direction, the O.A. stands disposed of. Accordingly, the M.A.No. 1024/11 also  stands disposed of.

11. Copy of this order, along with copy of the O.A., be sent to Respondent Nos. 4 and 5 by Speed Post at the cost of the applicants. Ld. Counsel for the applicants undertakes to deposit the postal requisites by tomorrow.


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12. Copy of this order be also handed over to the
Ld. Counsel appearing for the parties.

[Signature]

MEMBER (Judl.)

RK

[Signature]

MEMBER (Admin.)

