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**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK**

Original Application No. 260/00222 of 2015

Cuttack, this the 30<sup>th</sup> day of April, 2015

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

....

Ashok Kumar Mahakul,  
aged about 64 years,  
S/o late Nilakanta Mahakul,  
Permanent resident of Vill-Sungadia,  
Po/PS-Baripada, Dist-Mayurbhanj,  
At present working as GDSMP,  
Baripada Bazar SO under  
Mayurbhanj Division.

...Applicant

( Advocates: Mr. T. Rath )

**VERSUS**

Union of India Represented through

1. The Secretary - Cum- Director General of Posts,  
Dak Bhawan, New Delhi-110001.
2. Chief Postmaster General,  
Orissa Circle,  
At/Po-Bhubaneswar GPO-751001,  
Dist-Khurda.
3. Superintendent of Post Offices,  
Mayurbhanj Division,  
At/Po/PS-Baripada-757001,  
Dist-Mayurbhanj
4. The Postmaster,  
Baripada HO,  
At/Po/PS-Baripada,  
Dist-Mayurbhanj

... Respondents

( Advocate: Mr. A.K. Mohapatra )



**OR D E R (ORAL)**

**A.K.PATNAIK, MEMBER (JUDL.):**

Heard Mr. T. Rath, Ld. Counsel appearing for the Applicant and Mr. A.K. Mohapatra, Ld. ACGSC appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

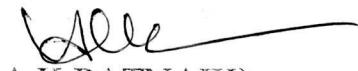
2. Mr. Rath brought to my notice that the applicant while working as GDS MP/MC, Baripada Bazar SO under Mayurbhanj Division is aggrieved with the order of recovery dated 10.09.2012 (Annexure-A/5) from TRCA of the applicant by the Superintendent of Post Offices, Mayurbhanj Division (Respondent No.3). Thereafter the applicant made a representation dated 06.02.2015 (Annexure-A/7) to the Chief Post Master General (Respondent No.2) against the said order of recovery which has not yet been considered and till date the admissible relief has not been given by the concerned authorities to the applicant. As no action has been taken on his representations as aforesaid, applicant has moved this Tribunal in the present Original Application with a prayer for direction to Respondents to quash the orders contained in Annexure-A/5 passed by the Respondent No.3 reducing the TRCA of the applicant and direct the Respondent No.4 to stop recovery from the monthly TRCA of the applicant. Further, he has prayed that a direction be given to the Respondents to restore the TRCA of the applicant in the TRCA slab of Rs.3635-65-5585/- w.e.f. 01.01.2006 and refund the amount already recovered.

*W/All*

3. In view of the aforesaid facts and the positive case of the applicant that his representation dated 06.02.2015 (Annexure-A/7) is still pending with the Respondent -Department, at this stage, without entering into the merit of this case, I dispose of this O.A. by directing Respondent No.2 to consider the said representation as per Rules, if the same is still pending with them, and communicate the result thereof to the applicant by way of a reasoned and speaking order within a period of 60 days from the date of receipt of a copy of this order. However, if in the meantime, the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of 15 days from the date of receipt of copy of this order.

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

5. On the prayer made by Mr. Rath, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent Nos.2 & 3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 07.05.2015.

  
(A.K.PATNAIK)  
MEMBER(J)