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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00225 of 2015
Cuttack, this the 30th day of April, 2015

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

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Sushant Kumar Kar,
aged about 46 years,
S/o Late Harihar Kar,
Vill/PO- Rajnagar, Dist- Keonjhar,
GDS MC (POD), Rajnagar S.O.

...Applicant

(Advocates: M/s. P.R.J.Dash, M.P.J.Ray)

VERSUS

Union of India Represented through

1. Secretary-cum-Director General of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110116.
2. Post Master General,
Sambalpur Region,
At/PO/Dist-Sambalpur-768001.
3. Superintendent of Post Offices,
Keonjhar Division,
At/PO/Dist- Keonjhar-768001.
4. Asst. Superintendent of Post Offices,
I/C Keonjhar (East) Sub- Division,
At/PO/Dist- Keonjhar-768001.

... Respondents

(Advocate: Mr. B.P.Nayak)

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ORDER (ORAL)

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

Heard Mr. P.R.J.Dash, Ld. Counsel for the Applicant, and Mr. B.P.Nayak, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

“.....to quash Annexure-A/1, A/4, A/5 and A/8 and direct the respondents to reinstate the applicant in service with full back wages with 12% interest and the same may be recovered from the officers at fault.

3. Facts of the case, as reveals from the record, is that the applicant was appointed as ED MC of Rajnagar S.O. on 13.09.1991. He was put under off duty on 31.03.2010 and the first charge sheet was issued on 25.05.2011, however, the charges were dropped by Respondent No.3 without assigning any reason on 23.12.2011. Respondent No.4 issued the same charge sheet on 22.02.2012 and the I.O. submitted his report on 04.03.2014 holding the charges as not proved. On 01.07.2014 Respondent No.4 issued disagreement note, to which the applicant submitted his reply on 15.07.2014. Mr. Dash, Ld. Counsel for the applicant, submitted that alleging harassment applicant made representation on 07.08.2014 to Respondent No.2 vide Annexure-A/11 but till date the applicant has received no response.

4. Taking into account the submission made by Mr. Dash, Ld. Counsel for the applicant, without expressing any opinion on the merit of the case, I dispose of this O.A. at this admission stage by directing Respondent No. 2 to consider and dispose of the representation dated 07.08.2014, if the same has been filed and is still pending consideration, with a well reasoned order and communicate the same to the




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applicant within a period of 30 days from the date of receipt of a copy of this order. It is made clear that till the representation is considered and result communicated to the applicant, no coercive action will be taken against the applicant. 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 two weeks from the date of receipt of a copy of this order.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. On the prayer made by Mr. Dash, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 2 and 3 by Speed Post for which he undertakes to file the postal requisites by 06.05.2015. A copy of this order be also handed over to Mr. B.P.Nayak.


(A.K.PATNAIK)
MEMBER(Judl.)

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