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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No. 260/0037 of 2015
Cuttack, this the 25th day of February, 2015

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (J)
HON'BLE MR. R. C. MISRA, MEMBER (A)

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Panchanan Swain,
aged about 64 years,
S/o late Dhadi Swain,
Resident of At- Haridaspur,
PO- Naharkanta, Via- Baliantha,
Dist-Khurda, Odisha, PIN-752101.

...Applicant

(Advocates: M/s. C.Sahani, P.K.Samal, D.P.Mohapatra)

VERSUS

Union of India Represented through

1. The Secretary - Cum- Director General of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110116.
2. Chief Postmaster General, Odisha Circle,
At/Po-Bhubaneswar, Dist-Khurda,
Odisha-751001.
3. Director Accounts (Postal),
Mahanadi Vihar, Cuttack-753004.

... Respondents

(Advocate: Mr. S.Barik)

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ORDER (ORAL)

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

Heard Mr. C. Sahani, Learned Counsel for the Applicant, and Mr. S.Barik, 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. The applicant is a retired Deputy Manager of Postal Printing Press, Bhubaneswar. He has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 challenging the order of punishment dated 24/27.12.2013 issued vide Annexure-A/11. The case of the applicant is that in contemplation of a disciplinary proceedings initiated under Rule 14 of CCS(CCA) Rules, 1965, the applicant has been imposed with the punishment of withholding of 10% of the monthly pension for a period of five years under Rule-9 of the CCS (Pension) Rules, 1972. Mr. Sahani, Ld. Counsel for the applicant, submitted that after issuance of the punishment order dated 24/27.12.2013 under Annexure-A/11, which the applicant received on 29.01.2014, the applicant submitted mercy appeal to the Hon'ble President of India on 28.02.2014. Mr. Sahani submitted that till date no response has been received by the applicant on his mercy petition.

3. Since the applicant has preferred a mercy petition, which is stated to be pending, without going into the merit of the case, we consider it appropriate to give a direction to Respondent No.1 to consider the same and pass reasoned and speaking order and communicate the result thereof to the applicant within a period of 60 days from the date of receipt of copy of this order. Ordered accordingly. It is made clear that if in the meantime that said mercy appeal has already been considered and 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.

4. With the above observation and direction, this O.A. stands disposed of at the stage of admission.

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5. On the prayer made by Mr. Sahani, Learned Counsel appearing for the applicant, copy of this order along with paper book be sent to Respondent No. 1 by Speed Post for which he undertakes to file the postal requites by 27.02.2015.



(R.C.MISRA)
MEMBER(Admn.)



(A.K.PATNAIK)

MEMBER(Judl.)

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