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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No.260/00396 of 2015
Cuttack, this the 8th day of July, 2015

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

Shri Amiya Kanti Patnaik,
aged about 59 years,
S/o-Late Subal Chandra Das,
Permanent resident of Plot No.A/48,
Mancheswar Industrial Estate,
Bhubaneswar-751010,
At present working as Commissioner,
Office of the Chief Commissioner,
Central Excise, Customs and Service Tax,
Bhubaneswar Zone, Bhubaneswar,
Dist-Khurda.

..... Applicant

(Advocates: M/s. J.M. Patnaik, C. Panigrahi)

VERSUS

Union of India Represented through

1. The Revenue Secretary to Government of India,
Ministry of Finance, Department of Revenue,
Central Board of Excise & Customs, North Block,
New Delhi-110 001
2. The Chairman,
Ministry of Finance, Department of Revenue,
Central Board of Excise & Customs, North Block,
New Delhi-110 001
3. Director General, DRI (HQRS.),
Directorate of Revenue,
Intelligence D-Block, I.P. Bhawan,
I.P. Estate, New Delhi.
4. PAO, Central Board of Excise & Customs,
New Delhi.
5. AO, DRI, Directorate of Revenue Intelligence,
Kolkata Zonal Unit,
8, Ho-Chi-Minh Sarani, Kolkata-700071.
6. AO,DRI (Hqrs.) Central Board of Excise & Customs,
New Delhi.
7. Additional Director General,
Directorate of Revenue Intelligence,
Kolkata Zonal Unit,
8, Ho-Chi-Minh Sarani, Kolkata-700071.

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8. The Under Secretary to Government of India, Ministry of Finance, Department of Revenue, (Central Board of Excise & Customs), North Block, New Delhi.
9. The Chief Commissioner, Central Excise, Customs and Service Tax, Bhubaneswar Zone, Bhubaneswar-751007.
10. Director General Vigilance, Customs & Central Excise, 2nd & 3rd Floor, Samrat Hotel, Kautilya Marg, Chanakyapuri, New Delhi.

..... Respondents

(Advocate: Mr. S. Behera)

ORDER(Oral)

A.K. PATNAIK, MEMBER (J):

Heard Mr. J.M. Patnaik, Learned Counsel appearing for the Applicant and Mr. S. Behera, Ld. SCGPC appearing for the on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. Though the competent authority vide order dated 12.11.96 sanctioned a sum of Rs.60,000/- as reward to the applicant and also this Tribunal passed order dated 17.10.2012 in O.A. No.770/12, till date the same has not been disbursed to him. Mr. Patnaik submitted that the applicant is on the verge of retirement and has been deprived of the sanctioned amount as well as interest thereon. The applicant has also unnecessarily undergone mental stress and strain besides financial hardship by not getting his rightful dues till date and the applicant is loitering here and there since 1996 for getting his rightful reward/award amount. Hence he has filed the present O.A. with a prayer for direction to quash the obnoxious conditions illegally and arbitrarily made in paragraph 3 of the Memorandum dated 06.05.2015 and consequently, direct the Respondents to release the sanctioned amount of Rs.60,000/- with 18% penal interest (from the date when it became due till the actual payment is made)."

3. We do not think that any order can be passed as in the order dated 07.12.2010 the departmental authority i.e., Commissioner, Central Excise, Customs and Service Tax, Bhubaneswar-1 has already intimated that no vigilance case is pending against the applicant. Mr. Patnaik submitted that in view of the order there is no impediment on the part of the Respondents to pay the reward

[Signature]

amount as per letter dated 06.05.2015 (Annexure-A/2). On being questioned whether the applicant has already availed of the departmental remedy and brought the matter before the authorities, Mr. Patnaik, made a prayer to withdraw this O.A. to make comprehensive representation to the departmental authorities. We do not find any prejudice will be made to the either side, if the applicant is allowed to make representation before the authorities. Accordingly, we dispose of this O.A. by granting liberty to the applicant to file a representation, annexing order dated 06.05.2015 (Annexure-A/2) and order dated 07.12.2010 (Annexure-A/4), within a period of two weeks from the date of receipt of copy of this order and the same may be considered and disposed of by the authorities within a period of three months therefrom.

4. In view of the above the present O.A. is disposed of at the stage of admission itself. No costs.


(R.C.MISRA)
MEMBER(A)


(A.K.PATNAIK)
MEMBER(J)

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