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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

Original Application No.260/00649 of 2015
Cuttack, this the 6th day of October, 2015

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

Golaka Chandra Mishra,
aged about 62 years,
S/o. Nilamani Mishra,
At-Kerilo, Po-Baghuni,
Via-Asureyswar,
Dist-Cuttack.

...Applicant
(Advocate: M/s. S. Mohanty, B. Biswal)

VERSUS
Union of India Represented through

1. Secretary, Department of Posts,
Dak Bhawan, New Delhi.
2. Chief Postmaster General, Odisha Circle,
P.M.G. Square, Bhubaneswar, Dist-Khurda, Pin-751001.
3. Senior Superintendent of Post Offices,
Cuttack North Division, Cuttack.
4. Director, Postal Services, Odisha Circle, Bhubaneswar.
5. Sub-Divisional Inspector of Post,
Salipur, Sub-division, Salipur,
Dist-Cuttack, Pin-754202.

... Respondents
(Advocate: Mr.D.K.Mallick)

ORDER (Oral)

R.C. MISRA, MEMBER (A)

Heard Mr.S.Mohanty, learned counsel for the applicant and
Mr.D.K.Mallick, learned ACGSC on the question of admission.



2. Applicant has approached this Tribunal for direction to be issued to respondents to pay him the salary of the post of Postman against which he has been directed to function since 2004 in the O/o. IPO, Salipur. Mr.Mohanty submitted that the applicant made an application under the RTI Act, 2005 and came to know the reasons why he has not been paid the salary of Postman and why he has not been regularized as such vide communication dated 11.3.2015. Questioning the legality of the above information received under the RTI Act, Mr.Mohanty contended that since the applicant was asked to perform the duties of a Postman on regular basis, his prayer for wages of the post of Postman should be granted. However, as this information has been obtained through RTI Act, legality of the same cannot be challenged before the Tribunal. It appears that subsequent to receipt of the above information, applicant has not preferred an application/representation to the authorities ventilating his grievance and therefore, it cannot be said that applicant has availed of the departmental remedies available to him under the relevant service rules. On being asked, Mr.Mohanty caves leave of the Tribunal to withdraw this O.A. with a liberty being granted to the applicant to make representation to the concerned authorities ventilating his grievance. Considering the prayer made by the learned counsel for the

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applicant the O.A. is disposed of as withdrawn. However, applicant is at liberty to make a representation ventilating his grievance before respondent no.2 within a period of fort-night and if any such representation is received, respondent no.2 is directed to consider and dispose of the same as per rules and settled principles of law and communicate the decision thereon within a period of sixty days from the date of receipt of such representation. Applicant may submit copy of this order along with the representation as directed above, to respondent no.2 for consideration.

Ordered accordingly.



(R.C.MISRA)
MEMBER(A)

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