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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

Original Application No. 260/00651 OF 2015
Cuttack, this the 01st day of October, 2015

**CORAM
HON'BLE SHRI A.K. PATNAIK, MEMBER (JUDL.)**

Aruna Kumar Mohanty,
aged about 61 years,
Son of Late Brajabandhu Mohanty,
Sub- Post Master (retired)
Resident of Village- Dhuat Sasan, PO- Indupur,
Dist- Kendrapara, Odisha.

.....Applicant

Advocate(s).....Mr. K.C.Kanungo

VERSUS

Union of India represented through

1. The Secretary, Communication-cum-D.G. Posts,
Dak-Bhawan, New Delhi-1.
2. Director of Postal Services (HQ),
Office of Chief Postmaster General,
Odisha Circle, Bhubaneswar-751001,
Dist-Khurda, Odisha.
3. Superintendent of Post Offices,
Cuttack North Division,
At/PO/Dist- Cuttack, Odisha-753001.
4. Sri G.P.Kar,
Inquiry Officer-cum-Asst. Superintendent of Post Offices(HQ),
Cuttack Sorth Division,
At/PO/Dist- Cuttack, Odisha-753001.

..... Respondents

Advocate(s).....Mr. A.Pradhan

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ORDER (ORAL)

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

Heard Mr. K.C.Kanungo, Learned Counsel for the Applicant, and
Mr. A.Pradhan, Ld. Addl. Central Govt. Standing Counsel appearing for the

Respondent, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. The applicant has filed this O.A. alleging inaction of the Respondent No.3 for considering his representation under Annexure-A/9 dated 04.08.2015 for staying the enquiry pursuant to the departmental charge sheet dated 24.02.2014 under Annexure-A/1 when, admittedly, the departmental proceeding and charge sheet thereof and the criminal case vide TR No. 15/13, 16/13 and 17/13 are pending in the Learned Special Judge, CBI, Bhubaneswar on the similar facts, documents and witnesses. It has been submitted that the I.O. vide Annexure-A/12 dated 21.09.2015 notified/intimated the date of 3rd sitting of the enquiry to be held on 06.10.2015 to 09.10.2015, which is also under challenge in this O.A., and going ahead with the enquiry under Annexure-A/12 dated 21.09.2015 will cause great prejudice to the applicant. On the above backdrop, he has filed this O.A.

3. In view of the aforesaid facts, as the representation Annexure-A/9 dated 04.08.2015 is still pending with the Respondent No.3, at this stage, we dispose of this O.A. by directing Respondent No.3 to consider and dispose of the said representation vide Annexure-A/9 and communicate the result thereof to the applicant by way of a reasoned and speaking order within a period of two months from the date of receipt of copy of this order. However, we have not expressed any opinion on the merit of the matter and the points raised by the applicant in his representation are kept open for the authorities to consider the same as per rules, regulations and law in force. 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 four weeks' from the date of receipt of a copy of this order.

4. It is made clear that till 31.01.2016, there shall be no further proceeding in pursuance to the letter dated 21.09.2015 under Annexure-A/12.

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

6. On the prayer made by Mr. Kanungo, Ld. Counsel for the applicant, copy of this order along with paper book be sent to Respondent Nos. 3 and 4 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 01.10.2015.

7. Free copy of this order be given to Mr. A.Pradhan after filing of power.



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

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