

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00704 OF 2015
Cuttack, this the 9th day of November, 2015

CORAM

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

.....
Mr. Hamid Ali Khan, aged about 51 years, S/o. Late Yakub Ali Khan, At-Sainso, Po-Gobabasta, Via-Phulanakhara, Dist-Cuttack-754001 at present S.P.M. Govindapur, Cuttack, Pin-754003.

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

VERSUS

Union of India Represented through

1. Secretary, Department of Posts, Dak Bhawan, New Delhi.
2. Chief Postmaster General, Orissa Circle, P.M.G. Square, Bhubaneswar, Dist-Khurda.
3. Senior Superintendent of Post Offices, Cuttack City Division, Cuttack.

... Respondents

(Advocate: Mr. S. Behera)

ORDER (oral)

A. K. PATNAIK, MEMBER (J):

Heard Mr. S. Mohanty, Ld. Counsel appearing for the Applicant and Mr. S. Behera, Ld. SCGPC, 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 seeking the following relief:

“To direct the Respondents to grant H.R.A. w.e.f. February, 2011 to June, 2014 and further direct to refund the electricity consumption charges recovered from the monthly salary of the applicant within a stipulated period by disposing the representation vide Annexure-9 of the O.A and the same be paid within a period of one month.”

3. Mr. Mohanty, Ld. Counsel for the applicant submitted that alleging non consideration of the case of the applicant for the aforesaid relief as claimed by him, the applicant submitted representation dated 30.07.2014 (Annexure-A/6) followed by reminder dated 21.12.2014 (Annexure-A/9) to Respondent No.3. It has further been submitted that till date no response has been received by the applicant on his representations. Hence, the applicant has filed this O.A. with the prayer as aforesaid.

Wd

4. Since the representations submitted by the applicant are stated to be pending, without entering into the merit of this case, we dispose of this O.A at the stage of admission by directing Respondent No.3 to consider the representations dated 30.07.2014 (Annexure-A/6) followed by reminder dated 21.12.2014 (Annexure-A/9) if the same are still pending, as per the extent Rule and regulation 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. We hope and trust, If, after such consideration it is found that the applicant is entitled to the relief claimed by him then expeditious steps be taken to extend the benefit to him preferably within a further period of three months from such consideration. Though we have not expressed any opinion on the merit of the case, we make it clear that all the points raised in the representations will be kept open for the Respondents to consider the same as per rules, regulations and law in force. However, it is made clear that if in the meantime the said representations have already been disposed of then the result of the same be communicated to the applicant within a period of two weeks.

5. In the result, the O.A. is disposed of at the stage of admission itself. No costs.

6. On the prayer made by Mr. Mohanty, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No.3 by Speed Post for which Mr. Mohanty undertakes to file the postal requisites by 13.11.2015. Free copy of this order be made over to Mr. S. Behera, Ld. SCGPC, appearing for the Respondents subject to filing of appearance memo.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)