

CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A.No.260/00813 of 2015

Cuttack this the 19th day of November, 2015

CORAM

HON'BLE SHRI A.K.PATNAIK, MEMBER(J)

Abhaya Kumar Jena, aged about 54 years, Son of Jatadhari Jena, permanent resident of Vill/Post-Arjunpur, Via/PS-Kharia, Dist-Balasore – at present working as Sub Postmaster, Kharia SO

...Applicant

By the Advocate(s)-Mr.T.Rath

Union of India represented through

1. The Secretary cum-Director General(Posts), Dak Bhawan, New Delhi-110 001
2. Chief PMG, Odisha Circle, At-Bhubaneswar, PO-Bhubaneswar GPO-751 001, Dist-Khurdha
3. Director of Postal Services(HQ), O/o.CPMG, Odisha Circle, At/PO-Bhubaneswar-751001, Dist-Khurda
4. Supdt. of Post Offices, Balasore Division, At/PO/Dist-Balasore-756001

...Respondents

By the Advocate(s)-Mr. ~~D.K. Mallick~~

ORDER(Oral)

[Signature]

A.K.PATNAIK, MEMBER(J):

Heard Mr.T.Rath, learned counsel for the applicant and Mr. ~~D.K. Mallick~~

[Signature]

learned ACGSC for the respondents and perused the records.

2. Facts of the matter are that applicant is presently working as SPM, Khairia SO under Balasore H.O. While working as PA, Turigaria SO during the period from 15.07.2002 to 4.6.2006 he was proceeded against under Rule-16 of CCS(CC&A) Rules, 1965 on the ground that during his incumbency as such he had failed to verify the specimen signature of the depositor in SB-7 forms (SB withdrawal form) which led to fraudulent withdrawals. On conclusion of the proceedings, Superintendent of Post Offices, Balasore Division (Res.no.4) vide order dated 21.8.2015(A/9) imposed punishment of recovery of Rs.50,000/- at the rate of Rs.5000/- per month commencing from August, 2015 to make good the loss sustained by the Department. Against this order

[Signature]


applicant has preferred an appeal dated 3.10.2015 (A/10) to the Director of Postal Services (Res.no.3) which is yet to be disposed of.

3. Having considered the rival submissions, at this stage, without expressing any opinion on the merit of the matter, I would direct the Director of Postal Services, O/o.CPMG, Orissa Circle, Bhubaneswar to consider and dispose of the appeal, if pending with him, and communicate the decision thereon to the applicant within a period of sixty days from the date of receipt of this order. It is further directed that the while considering the representation Res.no.3 shall take into consideration each and every aspect of the matter in the appeal. It is also directed that till 1.2.2016⁸ no recovery shall be effected from the salary of the applicant.

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

5. On the prayer made by the learned counsel copy of this order along with paper book of O.A. be sent to respondent nos. 3 and 4 at the cost of the applicant, for which Mr.T.Rath undertakes to file the postal requisites by 20.11.2015.

6. Free copy of this order be made over to learned counsel for both the sides.


(A.K.PATNAIK)
MEMBER(J)