

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00960 OF 2015

Cuttack, this the 14th day of January, 2016

CORAM

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

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

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Sri Balaram Behera, aged about 55 years, S/o Late Gangadhar Behera, Village/Po-Barakul, Via-Balugam, Dist- Ganjam at present serving as Sub-Post Master, Panigrahipentha Sub-Post Office, Berhampur, Dist.-Ganjam.

.....Applicant

(Advocate: M/s. G.K. Behera, D.R. Mishra)

- VERSUS-

Union of India Represented through

1. Director General of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.
2. Chief Post Master General, Odisha Circle, Bhubaneswar, Dist-Khurda
3. Sr. Superintendent of Post Offices, Berhampur Division, Berhampur (Gm.)-76001.
4. Director of Accounts, (Postal), Dak Lekha Bhawan, Mahanadi Vihar, Cuttack-753004.

... Respondents

(Advocate: Mr. S.B. Mohanty)

ORDER (ORAL)

A.K.PATNAIK, MEMBER (J):

Heard Mr. G.K. Behera, Ld. Counsel appearing for the applicant and Mr. S.B. Mohanty, Ld. ACGSC 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 with the following prayer:-

- “1. Hold/declare impugned Office Letter No.PA-III/BF HO/Misc./Tr.-23 dtd. 18.09.2014 (Annexure-A/5) rejecting the case of the applicant for stepping up his pay at par with his junior is bad & illegal;
2. Direct the respondents to reconsider the case of the applicant afresh and to step of his pay at par with his junior to remove anomalies.”



3. Mr. Behera, Ld. Counsel for the applicant submitted that due to non- consideration of the case of the applicant for the aforesaid relief as claimed by him, the applicant submitted representation dated 10.07.2015 (Annexure-A/6) to all the Respondents. He further submitted that the applicant's case can be redressed by Respondent No.2 as he has already availed departmental remedies. It has further been submitted that till date no response has been received by the applicant on his representation. Hence, the applicant has filed this O.A. with the prayer as aforesaid.

4. Since the representation submitted by the applicant is 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.2 to consider the representation dated 10.07.2015 (Annexure-A/6) if the same is still pending, as per the extant Rule and regulation and communicate the result thereof to the applicant by way of a reasoned/speaking order within a period of 03 (three) months from the date of receipt of copy of this order. If, after such consideration it is found that the applicant is entitled to the relief claimed by him then the same may be extended to him within a further period of 03 (three) months from such consideration. Though we have not expressed any opinion on the merit of the matter, we make it clear that all the points raised in the representation will be kept open for the Respondents to consider the same as per rules, regulations and law in force.

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

6. On the prayer made by Mr. Behera, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No.2 by Speed Post for which Mr. Behera undertakes to file the postal requisites by 20.01.2016.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)