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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

Original Application No.260/00114 of 2015  
Cuttack, this the 09<sup>th</sup> day of March, 2015

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

.....

K. Ramesh Naidu,  
Aged about 39 years,  
Son of Late Sri Satyam,  
At present working as a Technician-I under  
Sr. Section Engineer (Electrical)/PSI/E.Co.Rly./Koraput,  
Permanent resident of Plot No. MIG-55/3,  
Chandrasekharpur, Housing Board Colony,  
Bhubaneswar, Dist- Khurda, Odisha.

.....Applicant

Advocate(s)... M/s. N.R. Routray, Smt. J. Pradhan, T.K. Choudhury.

**VERSUS**

Union of India represented through

1. The General Manager,  
East Coast Railway, E.Co.R.Sadan,  
Chandrasekharpur, Bhubaneswar,  
Dist-Khurda.
2. Sr. Divisional Personnel Officer,  
East Coast Railway, Waltair Division,  
At/PO- Dandaporti, Town/Dist-Vishkhapatnam,  
Andhra Pradesh.
3. Sr. Divisional Electrical Engineer/TRD/  
East Coast Railway, Waltair Division,  
At/PO- Dandaporti, Town/Dist-Vishkhapatnam,  
Andhra Pradesh.
4. Sr. Section Engineer (Electrical)/PSI,  
East Coast Railway,  
At/PO/Town/Dist-Koraput.

..... Respondents

Advocate(s)..... Mr. T. Rath

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O R D E R (ORAL)

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

Heard Mr. N.R.Routray, Learned Counsel for the Applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. Applicant, who is presently working as Technician-I under the Senior Section Engineer (Electrical)/PSI, E.Co.Rly, Koraput, has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 challenging the order of recovery of Rs. 4043/- being made from his salary since February, 2012 in the head of HR. Mr. Routray, Ld. Counsel for the applicant, submitted that the said recovery has been started without any order or notice. We find that the applicant in this O.A. has mentioned that he has already submitted three representations/applications to Respondent No.3 against the recovery of Rs. 4,043/- towards penal rent but no communication has been received by him till date. However, we did not find a single application/representation annexed in this O.A.

3. Mr. Routray, on being questioned, candidly submitted that the applicant wants leave of this Tribunal to make a fresh representation to Respondent Nos. 2, 3 and 4 ventilating his grievance and a direction may be issued to the Respondent Nos. 2, 3 and 4 to consider such application/representation within a specific time frame.

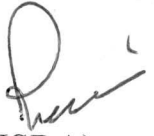
4. Taking into account the submission made by Mr. Routray, Ld. Counsel for the applicant, without expressing any opinion on the merit of the case, we dispose of this O.A. at this admission stage by granting liberty to the applicant




to make an exhaustive representation to Respondent No.2 with copy to Respondent Nos. 3 and 4 within a period of two weeks from today and in the event any such representation/application is preferred within a period of two weeks then Respondent Nos. 2, 3 and 4 may consider and dispose of the same as per the rules in force with a well reasoned order and communicate the same to the applicant within a period of 45 days from the date of receipt of the application/representation. Till the said representation is considered and result communicated to the applicant, there will be no further recovery from the salary of the applicant. We make it clear that if no representation is preferred within a period of two weeks from today then the same will not be entertained if preferred thereafter.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. As prayed for by Mr. Routray, Ld. Counsel for the applicant, copy of this order, along with the paper book, be transmitted to Respondent Nos. 2, 3 and 4 by Speed Post at the cost of the applicant, for which he undertakes to furnish the postal requisites by 12.03.2015.

  
(R.C.MISRA)  
MEMBER(Admn.)

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