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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/0042/16

Cuttack this the 8th day of February, 2016

CORAM:

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

Sushil Kumar Behera
Aged about 52 years
S/o. Arakhita Behera
Vill/PO-Tumudibandha
Dist-Kandhamalo-762 109
Now working as GDSBP Gumurmoha
Branch Post Office

...Applicant

By the Advocate(s)-Mr.R.K.Pradhan

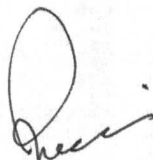
-VERSUS-

Union of India represented through:

1. The Secretary cum Director General of Posts
Dak Bhawan
Sansad Marg
New Delh-110 116
2. Chief Post Master General
Odisha Circle
At/PO-Bhubaneswar
Dist-Khurda-751 001
3. Superintendent of Post Offices
Phulbani Division
At/PO-Phulbani
Dist-Kandhamal
Odisha-762 001

...Respondents

By the Advocate(s)-Mr.B.Swain



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ORDER(Oral)

R.C.MISRA, MEMBER(A):

Heard Mr.R.K.Pradhan, learned counsel for the applicant and Mr.B.Swain, learned ACGSC for the respondents on the question of admission and perused the records.

2. It is the case of the applicant that initially he being appointed to the post of GDSBPM joined as such in Madaguda Branch Post Office under Kothagarh Sub Office on 24.06.1993. Subsequently, he was transferred and posted in the same capacity to Gumuramaha Branch Office where he joined on 1.7.2014 and continuing as such since then. Grievance of the applicant is that since 1.7.2014 he has not received his salary as a result of which he is suffering from great financial hardships. During the course of hearing, Mr.Pradhan drew my attention to a representation dated 7.12.2015 preferred by the applicant to the respondent-authorities, i.e., Superintendent of Post Offices, Phulbani (res.no.3) in which he has made a prayer for disbursement of his salary from 1.7.2014 to till date and having received no response, he has moved this Tribunal in the present O.A. for direction to be issued to res.no.3 to disburse the arrear salary in his favour.

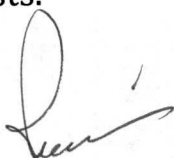


3. Mr.B.Swain, learned ACGSC on the other hand has no instructions in this regard.

4. It appears that even though in the meantime, more than one year has already elapsed, the authorities are callous over the matter thereby putting the applicant to distressed condition. However, it is not understood as to how applicant after joining Gumuramaha Branch Office with effect 1.7.2014 did not agitate his grievance when he was not paid his salary soon thereafter and waited for more than a year. Be that as it may, these facts are to be verified by the concerned authorities. Since disbursement of salary is a committed liability and if at all applicant is legitimately due to the same, the authorities should not have slept over the matter for such a long period.

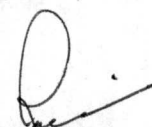
5. Since representation dated 7.12.2015 addressed to res.no.3 is stated to be pending, in the fitness of things, without going into the merit of the matter, I would direct res.no.3 to consider and dispose of the said representation, if at all pending at his level and pass a reasoned and speaking order within a period of thirty days from the date of receipt of this order. It is however, made clear that, if the applicant is entitled to disbursement of salary from 1.7.2014 to till date, the same shall also be disbursed in his favour as early as possible.

6. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.



7. On the prayer made by the learned counsel, copy of this order along with paper book be sent to res.no.3 at the cost of the applicant for which Mr.R.K.Pradhan undertakes to file the postal requisites by 9.2.2016.

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



(R.C.MISRA)
MEMBER(A)

BKS