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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No. 260/00126 of 2016
Cuttack, this the 8th day of March, 2016

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

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Anirudha Acharya,
aged about 55 years,
S/o Late Bholanath Acharya,
At- Bhatapada, PO- Debidol,
Dist- Jagatsinghpur,
Presently working as Accounts Officer
in the O/o Controller of Communication Accounts,
at C.P.M.G. Building, Bhubaneswar, Dist. Khurda.

...Applicant

(Advocates: M/s. J.Sengupta, G.Sinha, P.R.Behera, A. Panda)

VERSUS

Union of India Represented through

1. Secretary (Post),
Ministry of Communication and IT,
Department of Post, Dak Bhawan,
Sansad Marg, New Delhi-110016.
2. Secretary to Govt. of India,
Ministry of Finance,
Department of Expenditure,
North Block, New Delhi-110001.
3. Deputy Director General (PAF),
O/o Director General,
Ministry of Communication and IT,
Department of Post, Dak Bhawan,
Sansad Marg, New Delhi.
4. Chief Postmaster General,
Orissa Circle, At/PO-Bhubaneswar,
Pin-751001, Dist- Khurda.
5. Member, Finance
Ministry of Communication and IT,
Department of Telecommunication,
Sanchar Bhawan, Ashoka Road, New Delhi.



6. Director of Accounts (Postal),
Odisha Circle, Postal Accounts Office,
Mahanadi Vihar, Cuttack.

7. Controller of Communication Accounts,
Odisha Telecom. Circle,
C.P.M.G. Building, Bhubaneswar.

... Respondents

(Advocate: Mr. D.K.Mallick)

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ORDER (ORAL)

R.C.MISRA, MEMBER (ADMN.):

Heard Mr. J.Sengupta, learned counsel for the applicant and Mr. D.K.Mallick, learned ACGSC on whom a copy of this O.A. has been served, on the question of admission.

2. Applicant is presently working as Accounts Officer under the Controller of Communication Accounts, Orissa Circle. His grievance is that he was promoted to JAO/AAO cadre with effect from 22.11.2007 and accordingly, his pay was fixed as per the 6th CPC recommendations in the scale of Rs.16,890/- in PB-II corresponding to pre-revised scale Rs.6500-200-10500/- for JAO by the orders of the Director of Accounts, Cuttack. Applicant has been representing since long for re-fixation of his pay in the combined cadre of AAO with a revised basic pay at Rs.18,750/- corresponding to the pre-revised scale of Rs.7500-250-12,000/- as per the Rule-11 of CCS(Revised Pay)Rules, 2008. Mr. Sengupta submitted that applicant has been making representations in this regard to the authorities and an order has been issued on 9.12.2015, in which approval of the Controller of Communications Accounts, Orissa Circle has been conveyed for recovery of Rs.75,383/- from the pay in compliance of the audit objection. This order has been challenged by the applicant in this O.A. However, Mr. Sengupta submitted that protesting this recovery, applicant has




made another representation to the Controller of Communication Accounts (Res.no.7), in which he has made a prayer for re-fixation of his ²pay, besides stopping the recovery. Since a representation dated 11.12.2015 has been filed before Res.no.7, at this stage, without going into the merit of the matter, I would direct Res.no.7 to dispose of the same in a reasoned and speaking order in accordance with the extant rules and instructions and communicate the decision in this regard to the applicant within a period of two months from the date of receipt of this order. It is further directed that no recovery from the pay of the applicant in pursuance of the order dated 9.12.2015 shall be effected until the representation is disposed of and decision communicated.

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

4. On the prayer made by the learned counsel, copy of this order along with paper book be sent to res.no.7 at the cost of the applicant, for which Mr. Sengupta will file the postal requisites by 10.3.2016.

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


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