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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. No. 260/00167 OF 2016
Cuttack, this the 30th day of March, 2016

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

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Pranab Kumar Mishra, aged about 44 years, S/o Sri Prasanna Kumar Mishra, resident of At/Po – Dihagaon, Via- Madhyakhand, PS-Dasapalla, Dist- Nayagarh, Odisha, PIN-752093

.....Applicant

By the Advocate(s)-M/s. C.P. Sahani, P.K. Samal, D.P. Mohapatra.

-Versus-

Union of India, represented through

1. Secretary-cum Director General of Posts, Dak Bhawan, Sansad Marg, New Delhi-110116.
2. Chief Post Master General, Odisha Circle, At/PO Bhubaneswar, Dist:- Khurda, Odisha-751001.
3. The Director Accounts (Postal), Mahanadi Vihar, Cuttack-753004.
4. The Sr. Supdt. Of Post Offices, Puri Division, Puri-752001.

.....Respondents

By the Advocate(s)- Mr. G.R. Verma

O R D E R (ORAL)

A.K.PATNAIK, MEMBER (J):

Heard Mr. C.P. Sahani, Ld. Counsel appearing for the applicant and Mr. G.R. Verma, 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:-

“(i) To quash the internal audit report at Annexure-A/2 and the Pay-slips at Annexure-A/4 and Annexure-A/6. And consequently, orders may be passed directing the Respondents to restore the reduced increment given with effect from 26.07.2011 and refund the amount recovered from the pay of the applicant with interest”.

Vd

3. Mr. Sahani, 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 09.03.2016(Annexure-A/7) to Respondent No.2. 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 09.03.2016(Annexure-A/7) 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. However, it is made clear that if in the meantime, the representation as aforesaid has already been disposed of, then the result of the same be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order. **However, it is directed that till 01.08.2016 no further recovery shall be effected from the salary of the applicant.**

Vall

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. C.P. Sahani, Ld. 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. Sahani undertakes to file the postal requisites by 04.04.2016.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)

K.B