

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00501 OF 2016
Cuttack, this the 26th day of July, 2016

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

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Smt. Susmita Priya Darsini,
aged about 48 years,
wife of Sri Nilamadhava Satpathy,
Permanent resident of Vill./P.O./Talasahi, P.S./Dist-Khurda
and presently working as Postal Asst., Head Post Office, Khurda.

.....Applicant

By the Advocate(s)-M/s S. K. Ojha, S.K. Nayak

-Versus-

Union of India, represented through

1. Director General,
Department of Posts,
Government of India,
Dak Bhawan, New Delhi.
2. Director Postal Services(HQ),
Bhubaneswar, Office of the Chief Postmaster General,
Odisha Circle, Bhubaneswar, Dist-Khurda-751001.
3. Sr. Superintendent of Post Offices,
Puri Division, At/PO./Dist-Puri.
4. Post Master,
Head Post Office, Khurda,
At/P.O./Dist-Khurda.

.....Respondents

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

ORDER(Oral)

A.K.PATNAIK, MEMBER (J):

Heard Mr. S.K.Ojha, Ld. Counsel for the Applicant, and Mr. G.R.Verma,
Ld. Addl. Central Govt. Standing Counsel 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 admit the OA;
- (ii) To quash the Charge memo No. F/6-1/2008-09(Ch-III) dated Puri the 13.07.2015(Annexure .A/1)
- (iii) To quash the order No. F/6-1/2008-09(Ch-IV) dated Puri the 05.07.2016 (Annex. A/5) passed by the Resp. No. 3.
- (iv) To direct the Respondents to extend the consequential benefits to the applicant;
- (v) To pass any other order/orders as deem fit and proper for the ends of justice.”

3. The case of the applicant, who is working as Postal Assistant in Head Post Office at Khurda, in nutshell is that she was issued with a charge memo No. F/6-1/2008-09(Ch-III) dated 13.07.2015 by Respondent No.3 alleging misconduct/misbehavior on her part relating to an incident of 2008. The proceeding was concluded on 05.07.2016 with the finding that the applicant is subsidiary offender and, accordingly, punishment of recovery of Rs. 53,623/- was imposed to be recovered in ten equal installments starting from the monthly salary payable from the month of July, 2016. Mr. Ojha, Ld. Counsel for the applicant, submitted that the applicant preferred an appeal on 20.07.2016 (Annexure-A/6) before Respondent No.2 but till date nothing has been communicated to her.

4. Since the appeal preferred by the applicant is stated to be pending consideration, without entering into the merit of this case, we dispose of this O.A at the stage of admission itself by directing Respondent No. 2 to consider the appeal dated 20.07.2016, if the same has been preferred and is still pending consideration, as per rules and regulations in force and communicate the result thereof to the applicant by way of a reasoned and speaking order within a

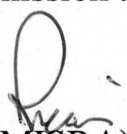
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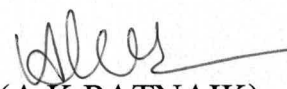
period of 03 months from the date of receipt of a copy of this order. We make it clear that no recovery from the salary of the applicant will be made until the appeal is considered and result communicated and for a further period of one month from the date of such consideration. Though we are not entering into the merit of the matter, however, we make it clear that all the points raised by the applicant in her appeal will be kept open for Respondent No.2 to consider the same as per rules and regulations 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. Ojha, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No. 2 and 3 by Speed Post for which he undertakes to file the postal requisites by 27.07.2016.

7. Free copy of this order be also given to Mr. G.R.Verma for onward transmission to the Respondent-authorities.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)

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