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CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A.No.525 of 2016

Cuttack this the 2<sup>nd</sup> day of August, 2016

CORAM

HON'BLE SHRI A.K.PATNAIK, MEMBER(J)

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

Sri Bijaya Mishra, aged about 59 years, S/o.late Balaram Mishra, Qr.No.D/690, Sector-20, Pump House Colony, Rourkela, PS-Sector-19, Dist-Sundargarh, working as Technician - cum - Operator, Town Engg-Water Supply(Town)

...Applicant

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

-VERSUS-

Union of India represented through:

1. The Secretary, Department of Steels and Mines, New Delhi
2. DGM, TE-WS(T) Rourkela Steel Plant, At-Routkela, Dist-Sundargarh

...Respondents

By the Advocate(s)- ...

ORDER(Oral)

A.K.PATNAIK, MEMBER(J):

Heard Mr.B.Dalai, learned counsel for the applicant on the question of admission and perused the records.

2. This O.A. has been filed by the applicant challenging the order dated 29.6.2016 passed by Respondent No.2. Mr.Dalai submitted that the applicant is going to retire on superannuation hardly after six months. But due to disciplinary proceedings initiated against him by the reason of his being convicted by the Trial Court in a case under Section 7 and 13(2) read with 13(1)(d) of Prevention of Corruption of Act, 1988 and 420 IPC and sentenced to undergo R.I. for two years, he has been removed from service by invoking the special procedure

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as provided in Clause-31(1) of Certified Standing Orders of the Company vide A/1. Simultaneously, the respondents have also directed the applicant to vacate the quarters, for which he has made an exhaustive representation to res.no.2 praying for allowing him retention of quarters for a further period of six months.

3. As applicant's normal date of retirement is almost the same period of six months, we are not inclined to grant any such relief at this stage. However, Mr.Dalai submitted that the applicant is ready and willing to vacate the quarters under his occupation by the end of October, 2016. This being the position, we would direct respondent no.2 to consider and dispose of representation dated 4.7.20916 if it is still pending with him and communicate the decision thereon to the applicant in accordance with the standing orders and regulations in force of the company, within a period of two months from the date of receipt of this order. However, if applicant is found entitled to the claim laid by him in his representation, the same may be allowed to him till the end of October, 2016. However, if in the meantime, applicant's representation has been considered and disposed of, the decision thereon be communicated to him within a period of two weeks hence.

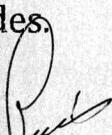
4. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

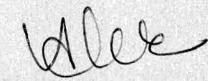
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5. On the prayer made by the learned counsel, copy of this order along with paper book of O.A. be sent to res.no.2 at the cost of the applicant for which Mr.B.Dalai undertakes to file the postal requisites by 3.8.2016.

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

**(R.C.MISRA)**   
**MEMBER(A)**

  
**(A.K.PATNAIK)**  
**MEMBER(I)**

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