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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O.A.No.725 of 2016

Cuttack this the 21<sup>st</sup> day of October, 2016

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

Jagat Ram Tajan, aged about 48 years, S/o.Bairagi Tajan, resident of At-Nuadihi, PO-Raidihi, Via-Sargipali, PO-Lephripada, Dist-Sundargarh, Odisha, PIN-770 021, presently working as Inspector of Posts, Titlagarh Sub Division, Dist-Balangir-767 033

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

-VERSUS-

Union of India represented through:

1. The Secretary cum Director General of Posts, Dak Bhawan, Sansad Marg, New Delhi-110 116
2. Chief PMG, Odisha Circle, At/PO-Bhubaneswar, PO-Bhubaneswar, Dist-Khurda-751001
3. Superintendent of Post Offices, Balangir Division, Balangir-767 001
4. Director of Accounts (Postal), Mahanadi Vihar, Cuttack-653 004

...Respondents

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

ORDER(Oral)

A.K.PATNAIK, MEMBER(J):

Heard Mr.C.P.Sahani, learned counsel for the applicant and Mr.B.Swain, learned ACGSC appearing for the Respondents on the question of admission and perused the records.

2. This O.A. has been filed challenging the reduction and recovery of Rs.59,166/- from the pay of the applicant based on the internal audit report. It is the case of the applicant that his

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pay was reduced by one increment in the pay slip of July, 2016, without any notice and this is how the recovery of amount of Rs.59,166/- has been effected.

3. It is seen that ventilating his grievance, applicant has filed a representation dated 23.9.2016 (A/8) to the Chief Post Master General, Odisha Circle, Bhubaneswar in which he has prayed for consideration his case as per rules and cause order of restoration of the increment thereby refunding the recovered amount with interest. Since he has not received any response, this O.A. has been filed by the applicant under Section 19 of the A.T.Act with a prayer to quash the pay slips at A/3 and A/7 and the internal audit report at A/6 and consequently to direct the Respondents to restore the reduced increment given with effect from 22.7.2011 and refund the amount recovered from the pay of the applicant with interest.

4. Since the representation of the applicant is pending consideration by the CPMG, Odisha Circle, at this stage, I do not feel it proper to keep this matter pending, thereby directing the respondents to file their counter. Without expressing any opinion on the merit of the matter, I would direct both Respondent No. 2 to consider the representation of the applicant as aforementioned as per the extant rules and instructions on the subject and communicate the decision thereon to the applicant in reasoned and speaking order within a period of two months from the date of receipt of this order.

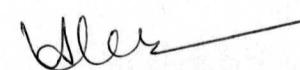


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Although I have not expressed any opinion on merit, but, I hope Respondent No. 2 while considering the grievance of the applicant shall take into account all the points raised by him therein. However, if in the meantime, the said representation has been considered, decision thereon be communicated to the applicant within a period of four weeks hence. It is also directed that if in course of consideration of his representation, applicant is found entitled to the claims made by him, the same be released in his favour within a further period of one month from the date of communication of the decision. It is further directed that no further recovery from the salary of the applicant for a further period of one month from the date of communication of the decision on the representation shall be effected.

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

6. On the prayer made by the learned counsel, copy of this order along with paper book of O.A. be sent to res.nos.2 & 3 at the cost of the applicant for which Mr.C.P.Sahani undertakes to file the postal requisites by 24.10.2016.

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

  
(A.K.PATNAIK)  
MEMBER(J)