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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No. 245 of 2013

Cuttack this the 25th day of April, 2013

CORAM

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

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

Sri Nrusingha Prasad Panda, aged about 54 years, S/o. late Tripathi Prasad Panda, Ashok Nagar, PO/Dist-Koraput, Odisha-764020 now working as P.A., SBCO, Bhawanipatna HO, Dist-Kalahandi

...Applicant

By the Advocate(s)-Mr.P.K.Padhi

-VERSUS-

Union of India represented through

1. The Secretary cum Director General of Posts, Dak Bhawan, Sansad Marg rg, New Delhi-110 116
2. Director of Postal Services, Berhampur Region, /PO-Berhampur, Dist-Ganjam, Odisha-769 001
3. The Superintendent of Post Offices, Kalahandi Division, At/PO/Bhawanipatna, Dist-Kalahandi, Odisha-766 001

...Respondents

By the Advocate(s)-Ms.S.Mohapatra

ORDER(Oral)

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

Heard Shri P.K.Padhi, learned counsel for the applicant and Ms.S.Mohapatra, learned Addl. Central Government Standing Counsel, who undertakes to file Memo of Appearance during the course of the day on behalf of the Respondents.

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2. Applicant has filed this Original Application seeking direction to dispose of the appeal dated 10.4.2013 pending before the Respondent No.2 against the order of recovery dated 28.3.2013.

passed by Respondent No.3, within a stipulated period.

3. We find that against the order of the Disciplinary Authority, applicant has preferred an appeal on 10.4.2013 and within a couple of week has approached this Tribunal seeking relief as referred to above.

4. In our considered opinion, this O.A. is too premature. However, it is the case of the applicant that before the Appellate Authority could take a decision on the appeal, the punishment as imposed by the Disciplinary Authority has been given effect to. In this view of the matter, as agreed to by the learned counsel of both the sides, without entering into the merit of the case, we direct Respondent No.2 to consider and dispose of the appeal, if not yet disposed of, as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of this order and communicate the decision through a reasoned and speaking order to the applicant.

5. Shri Padhi submitted that the applicant in his appeal had submitted for staying the operation of punishment as imposed by the Disciplinary Authority. Accordingly, we direct Respondent No.2 not to give effect to the impugned order dated 28.3.2013 (Annexure-0A/1) till the appeal is disposed of and result thereof is communicated to the applicant.

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

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7. Copy of this order along with paper book of O.A. be sent to Respondent No.2 at the cost of the applicant for which Shri P.K.Padhi, under takes to file the postal requisites by 26.3.2013. Free copies of this order be made over to the learned counsel for the parties.


(R.C.MISRA)
MEMBER(A)


(A.K.PATNAIK)
MEMBER(J)