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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A. No.283 of 2013

Cuttack, this the 10th day of May, 2013

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (JUDI.)

HON'BLE MR. R. C. MISRA, MEMBER (ADMN.)

.....

Rabindranath Biswal,
Aged about 52 years,
S/o.Trilochan Biswal,
GDSBPM,
Mancheswar Railway Branch Office,
Mancheswar, Bhubaneswar,
Dist.Khurda.

....Applicant

(Advocate(s):-M/s.Tushar Ku Mishra,S.K.Sahoo)

-Versus-

Union of India represented through –

1. Director General of Posts,
Dak Bhawan,
Sansad Marg,
New Delhi, PIN-110 001.
2. Chief Postmaster General,
Orissa Circle,
Bhubaneswar,
Dist.Khurda, PIN 751 001.
3. Senior Superintendent of Post Offices,
Bhubaneswar Divison,

Alus

Bhubaneswar,
Dist.Khurda, PIN 757 009.

4. Assistant Superintendent of Post Offices,
Bhubaneswar North Sub Division,
Bhubaneswar,
Dist. Khurda, Pin-751 001.
5. Senior Postmaster,
Bhubaneswar GPO,
Bhubaneswar,
Dis.tKhurda.

.....Respondents

(Advocate(s)-Mr.)

O R D E R

(oral)

A.K. PATNAIK, MEMBER (J):

This Original Application has been filed by the applicant on 30th April, 2013 seeking direction to the Respondents to sanction and disburse the exact salary on the basic pay of Rs.2745-50/4245/- w.e.f. April, 2013 and to direct the Senior Postmaster General, Bhubaneswar GPO

[Signature]

to disburse the arrear salary with effect from November, 2012 to April, 2013.

2. We find that in this connection the applicant has submitted representation to the Senior Superintendent of Post Offices, Bhubaneswar on 15.4.2013 and alleging non consideration of his grievance he has filed this OA on 30th April, 2013. As such, there is hardly any time available in between, to the authority to give consideration to the grievance of the Applicant. Section 20 of the Administrative Tribunals Act, 1985 provides as under:

“20. Applications not to be admitted unless other remedies exhausted – (1) A Tribunal

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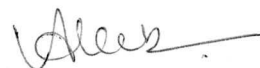
shall not ordinarily admit an application unless it is satisfied that the applicant had availed of all the remedies available to him under the relevant service rules as to redressal of grievances:

(2) For the purpose of sub section (1), a person shall be deemed to have availed of all the remedies available to him under the relevant service rules as to redressal of grievances-


(a) if a final order has been made by the Government or other authority or officer or other person competent to pass such order under such rules, rejecting any appeal preferred or representation made by such person in connection with the grievance; or

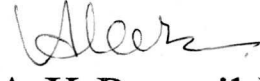
(b) Where no final order has been made by the Government or other authority or officer or other person competent to pass such order with regard to the appeal preferred or **representation made by such person, if a period of six months from the date on which such appeal was preferred or representation was made has expired."**

3. As stated above the prayer of the applicant in this OA is for direction to the Respondents to sanction and disburse the exact salary on the basic pay of Rs.2745-50/4245/- w.e.f. April, 2013 and to direct the Senior Postmaster General, Bhubaneswar GPO to disburse the arrear salary with effect from November, 2012 to April, 2013. There being no immediate injury question of entertaining this OA by giving necessary interpretation to the word 'ordinarily' does not arise. In view of the above, we are not inclined to admit this OA. Accordingly, on the prayer of Mr.Mishra, learned Counsel for the Applicant this OA is disposed of as withdrawn with



liberty to the applicant to agitate his grievance, if so advised, if his representation is not considered after expiry of reasonable period or the result of the representation adversely affects his interest. No costs.


(R.C. Misra)
Member (Admn.)


(A.K. Patnaik)
Member (Judl.)