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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 480 OF 2013
Cuttack, this the 26th day of July, 2013

CORAM

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

Sunakar Sahoo,
aged about 62 years,
Son of Late Dhobei Sahoo,
At/Po-Karilopatna,
Ps-Patkura, Dist-Kendrapara

Advocate(s)-Mr.P.R.Sutar

..Applicant

VERSUS

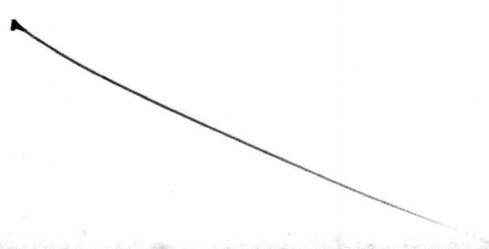
Union of India represented through

1. The Chief Post Master General,
Odisha, Bhubaneswar,
2. Superintendent of Post Offices,
North Division, Cuttack.
3. Asst. Superintendent of Post Offices,
Kendrapara Sub- Division,Kendrapara
4. Sub-Post Master,
Karilopatna Sub-Office,
At/Po-Karilopatna, Ps-Patkura,
Dist- Kendrapara

... Respondents

Advocate(s)-Mr.U.B.Mohapatra

Y. Mohapatra



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

Heard Mr. P.R.Sutar, learned counsel for the applicant and Shri U.B.Mohapatra, learned Senior Central Govt. Standing Counsel appearing for the Respondents and perused the materials on record.

2. In this Original Application, the applicant has challenged the order of suspension since 18.19.2012 without initiation of disciplinary proceeding. He has, therefore, prayed for direction to Respondent Nos. 2 and 3 to consider his representation and take necessary steps for putting the applicant on duty with full wages.

3. We find that while the applicant was continuing in the Postal Department as GDS Packer, Karilopatna SO he was issued with order dated 18.9.1012 by the Assistant Superintendent of Post Offices, Cuttack North Division (Res.No.3) putting him off duty by stating therein that a disciplinary case is pending against him. On receipt of the above order, the applicant made a representation vide Annexure-A/3 dated 29.10.2012 to the Superintendent of Post Offices, Cuttack North Division (Res.No.2). As he did not receive any response from the said authorities, i.e., Respondent No.2, he made an appeal vide Annexure-A/5 dated 4.2.2013 to Respondent No.2. Having received no response from Respondent No.2, the applicant submitted a representation to the Chief Post Master General, Orissa Circle, Orissa (Res.No.1) on 6.5.2013 (Annexure-A/6). It is submitted by Mr.Sutar that the applicant is yet to receive any response.



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22

OA 480/13
S.Sahoo vs. UOI

4. Shri U.B.Mohapatra, learned Senior Central Govt. Standing Counsel has no immediate instructions regarding the fate of the representation last submitted to Respondent No.1.

5. In view of this, we dispose of this O.A. with direction to Respondent No.1 to consider the said representation if it is still pending and communicate the result thereon through a well- reasoned order to the applicant within a period of sixty days from the date of receipt of this order. However, it is made clear that if in the meantime the representation has been considered and disposed of, the decision thereon shall be communicated to the applicant within a period of two weeks from the date of receipt of this order.

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

7. Send copy of this order along with paper book to Respondent Nos. 1 and 2 at the cost of the applicant for which Mr.Sutar undertakes to file the postal requisites by 31.7.2013.

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

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


(A.K.PATNAIK)
MEMBER(I)