

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK
O. A. NO. 640 OF 2013
Cuttack, this the 16th day of September, 2013

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

Muralidhar Dalei,
aged about 53 years,
S/o. Late Patar Delei,
At/Po- Khuntubandha,
Via: Mandhapur, Dist:Nayagarh-752079
Now working as GDSMC of Khuntubbandha B.O.

.....Applicant

Advocate(s)-M/s- P.K. Padhi, Smt. J. Mishra

VERSUS

Union of India represented through

1. Secretary –cum-Director General of post,
Dak Bhawan, Sansad Marg,
New Delhi-110016.
2. Chief Post Master Geenral,
Odisha Circle,
At/Po: Bhubaneswar, Dist-Khurda-751001.
3. Senior Superintendent of Post Offices,
Puri Division,
At/Po/Dist-Puri-752001.
4. Inspector of Posts (I/C),
Nayagarh East Sub Division,
At/Po/Dist:Nayagarh-752069.

..... Respondents

Advocate(s) *MR... P.R.J. Dash*

ORDER(Oral)

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

Heard Shri P.K.Padhi, learnt counsel for the applicant and Shri P.R.J.Dash, learned Addl.Central Govt.Standing Counsel, on whom a copy of the O.A. has been served, appearing on behalf of the Respondents and perused the materials on record.

Allet

2. The instant O.A. has been filed under Section 19 of the A.T.Act, 1985, challenging the action of the Respondents for non-consideration of the case of the applicant for promotion to the grade of Postman or MTS as well as reduction of TRCA(allowance/pay) without issuing any show cause notice. Shri Padhi, submitted that the applicant has rendered more than 34 years of service being appointed to EDMC/GDSMC with effect from 5.7.1979. It is the case of the applicant that on implementation of the recommendations of 6th Central pay Commission, the TRCA was fixed properly and while the matter stood thus, without any rhyme or reason, the TRCA of the applicant has been reduced from Rs.7442 to Rs.6071 from January, 2013 to April, 2013 and for four months the TRCA was paid at a time in April, amounting to Rs.24,584/- and in May, 2013, Rs.5955/-, in June, 2013, Rs.6156, in July, 2013, 6146 and in August, 2013, Rs.6146, has been sanctioned which works out to causing loss of more than Rs.1500/- per month. Shri Padhi submitted that this reduction has been effected without complying with the principles of natural justice. By drawing our attention, Shri Padhi submitted that aggrieved with the above, the applicant has preferred a representation dated 10.6.2013 to the Chief Post Master General (Res.No.2) and no action having been taken by the former, the applicant has further submitted a representation dated 24.6.2013 to the Director General of Posts(Res.No.1) and having received no response, this O.A. has been filed.

3. Shri Dash, learned Addl.Central Govt. Standing Counsel has no immediate instruction regarding any such representation to have been filed by the applicant nor the status of the said representations.

4. In consideration of the above, without entering into the merit of the matter, we direct Respondent No.2 as well as Respondent No.1 to consider the representations, if those are still pending with them and communicate the decision thereon through a reasoned and speaking order to the applicant within a period of two months from the date of receipt of this order.

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

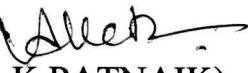
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6. Copy of this order along with paper book of OA be sent to Respondent No. 1 and 2 by Speed Post at the cost of the applicant, for which Shri Padhi undertakes to file the postal requisites by 18.9.2013. Free copy of this order be made over to the learned counsel for both the sides.


(R.C.MISRA)

MEMBER(A)

BKS


(A.K.PATNAIK)

MEMBER(J)

