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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 696 OF 2013
CUTTACK, THIS THE 09th DAY OF October, 2013

CORAM

HON'BLE SHRI A.K. PATNAIK, MEMBER (JUDL.)
HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)

.....

Akhila Ch. Sahoo,
Aged about 59 + years,
S/o Late Kahnu Charan Sahoo,
At- Brajarajpatna, PO: Sukarpada,
PS: Nischintakoili, Dist: Cuttack,
Presently working as Sorting Assistant,
Office of the Head Record Officer,
Railway Mail Service (RMS) 'N' Division, Cuttack.

.....Applicant

(Advocate(s) : Applicant in person)

VERSUS

Union of India Represented through

1. Director General,
Deptt. Of Posts,
Govt. of India,
Dak Bhawan,
New Delhi.
2. Chief Post Master General,
Odisha Circle,
Bhubaneswar,
G.P.O., Bhubaneswar, Dist- Khurda.
3. Sr. Superintendent (Postal),
RMS 'N' Division,
Nuapatna, Dist-Cuttack-1.
4. Head Record Officer,
O/o the Sr. Superintendent (Postal),
RMS 'N' Division,
Nuapatna, Dist-Cuttack-1.
5. Dy. Auditor (Postal) D.A.(P),
At/PO- Mahanadi Vihar,
Cuttack-4.

... Respondents

Advocate(s)..... L. Jena

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O R D E R (ORAL)

MR. A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. Akhila Chandra Sahoo, the sole applicant.

2. A resolution has been made and communicated by the C.A.T. Bar Association to the extent as under:

“In continuation to our earlier resolution dt. 27.09.2013 and 03.10.2013, the emergent general body of C.A.T. Bar Association unanimously resolved to abstain from Court till 09.10.2013”.

In view of the above, none appears for the Respondents-department.

3. The instant O.A has been filed by the applicant challenging the orders dated 28.08.2013, 30.08.2013 and 30.09.2013 under Annexures- A/2, A/3 and A/4 respectively. On perusal of the documents, we find that the order passed on 28.08.2013 has been issued by the Asst. Director (Staff) in the O/o Respondent No.2, who has not been arrayed as a party in this Original Application. This letter is regarding audit objection about regular grant of TBOP/BCR and regularization of implementation of MACP scheme w.e.f. 01.09.2008, which is an internal correspondence and hence we did not want to interfere with this internal communication under Annexure-A/2.

4. So far as letter dated 30.08.2013 under Annexure-A/3 is concerned, we find that the same is also an internal correspondence of Sr. Supd., RMS 'N' Division (Respondent No.3) addressed to the HRO N Division, Cuttack-1. Therefore, this being an internal correspondence, we also do not want to interfere in this letter dated 30.08.2013. Accordingly, the prayer of the applicant for interfering of



this Tribunal so far as Annexure-A/2 and A/3 are concerned is hereby rejected.

5. So far as Annexure-A/4, letter dated 30.09.2013, is concerned, we find that the same letter has been issued only 9 days back and the applicant candidly submitted that after receipt of the said letter neither has he made any representation to the Head Record Officer (HSG-I), RMS N Division, Cuttack (Respondent No.4) nor any other authorities. We, therefore, think it fit and proper that the grievance of the applicant should first be examined by the administrative/departmental authorities.

6. In view of the above, without expressing any opinion on the merit, we dispose of this O.A. at the stage of admission itself by granting liberty to the applicant to make representation to both the Respondent Nos. 3 and 4 within a period of 7 days from today enclosing therein the copy of this order. If such a representation is made by 16.10.2013 then the Respondent Nos. 3 and 4 shall consider the same as per extant rules and provisions and result thereof be communicated to the applicant by way of a reasoned and speaking order within a period of two months from the date of receipt of such representation.

7. We also make it clear that till the representation is considered and the result communicated to the applicant by way of reasoned and speaking order, further recovery in pursuance of the order dated 30.09.2013 under Annexure-A/4 will remain stayed.

8. With the aforesaid observation and direction, this O.A.



stands disposed of,

9. Copy of this order, along with copy of this O.A., be handed over to Mr. Akhila Chandra Sahoo, the sole applicant, during the course of the day, who will submit the same before the Respondents as aforesaid along with his representation.


MEMBER (Admn.)


MEMBER (Judl.)

RK