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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

O.A.No. 858 OF 2013

Cuttack, this the 11th day of February, 2014

CORAM

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

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

.....

Narasingh Sahu, aged about 63 years, Rtd. Post Master, (HSG-I), Chatrapur HO, S/o- Late Jagannath Sahu, At- Postal Colony, PO -Parlakhemundi, Dist. Gajapati.

....Applicant

(Legal Practitioner:-M/s. G.K.Behera, D.R.Mishra)

Versus

UNION OF INDIA REPRESENTED THROUGH-

1. The Director General of Post, Dak Bhawan, Sansad Marg, New Delhi-110 001.
2. The Chief Post Master General, Odisha Circle, Bhubaneswar, Dist. Khurda.
3. The Post Master General, Berhampur Region, Berhampur, Dist- Ganjam.
4. Sr. Superintendent of Post Offices, Berhampur Division, Berhampur (Gm.)- 760001.
5. Director of Accounts, (Postal), Dak Lekha Bhawan, Mahanadi Vihar, Cuttack-4.

.....Respondents

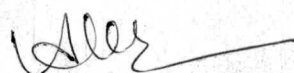
(Legal practitioner: Mr. B.K.Mohapatra)

O R D E R

(ORAL)

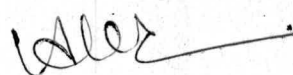
A.K.PATNAIK, MEMBER (JUDICIAL):

Copy of this OA has been served on Mr. B.K.Mohapatra, Learned Additional CGSC for the Union of India who accepts notice for the Respondents in this OA. Registry is directed to serve notice, in terms of sub rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987 for onward transmission. Heard Mr. G.K.Behera, Learned Counsel for the Applicant, and Mr. B.K.Mohapatra, Learned Additional CGSC appearing for the Respondents and perused the materials placed on record.



2. The applicant, while working as Post Master, (HSG-I), Chatrapur Head Post Office, on attaining the age of superannuation retired w.e.f. 30.06.2007. In this O.A. filed under Section 19 of the Administrative Tribunal Act, 1985 the applicant has prayed to quash the letter dated 19.07.2013 of the Respondent No.4 rejecting his representation dated 19.12.2012 submitted by him to the Chief Post Master General, Odisha Circle, Bhubaneswar, i.e. Respondent No.2. His second prayer is to direct the Respondents to revise and refix his pay and pension as per the 6th CPC Recommendation applicable to the HSG-I for the period he worked, i.e. from 01.01.2006 to 15.04.2007. Mr. Behera's contention is that the applicant submitted representation to Respondent No.2, i.e. CPMG, Odisha Circle, but the same has been rejected by the Respondent No.4, who has no authority to do so.

3. We have perused the representation submitted by the applicant on 19.12.2012 and 29.01.2013 vis-à-vis the letter of rejection dated 19.07.2013. The order of rejection does not show that the said letter was issued as per the order of Respondent No.2. When the applicant submitted representation to Respondent No.2, Respondent No.4 has no authority or competency to deal with the same. We also find that the order of rejection dated 19.07.2013 is a cryptic one. Since the order of rejection dated 19.07.2013, prima facie, appears not sustainable in the eyes of the law, admitting this O.A. will be of no avail, hence without expressing any opinion on the merit of this matter, we quash the order of rejection dated 19.07.2013 and direct Respondent No.2 to consider the representations dated 19.12.2012 and 29.01.2013 and communicate the result thereof to the applicant in a well reasoned order within a period of 60 days. No costs.



4. As prayed for by Mr. Behera, Ld. Counsel for the applicant,
copy of this order be sent to Respondent No. 2 at the cost of the applicant for
which he undertakes to file postal requisites by 14.02.2014.

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

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