

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00340 of 2014
Cuttack this the 23rd day of June, 2014

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

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Shri Laxmidhar Muduli, aged about 60 years, S/o. Late Kartika Muduli, GDS MD-Cm-MC, At/Po.Badasireipur BO, Via-Banapur, Dist. Khurda, Odisha-752 031.

...Applicant

(Advocates: M/s.P.K.Padhi, Smt. J.Mishra)

VERSUS

Union of India represented through

1. Its Secretary-Cum-Director General of Posts, Dak Bhawan, Sansad Marg, New Delhi-110 116.
2. Chief Post Master General, Odisha Circle, Bhubaneswar, Dist. Khurda-751 001.
3. Sr. Superintendent of Post Offices, Puri Division, At/Po/Dist.Puri-752 001.
4. Inspector of Post Offices, Balugaon Sub Division, At/Po.Balugaon, Dist. Khurda.

... Respondents

(Advocate: Mr.P.R.J.Dash)

ORDER

(Oral)

A.K. PATNAIK, MEMBER (JUDICIAL):

The applicant, who is working as GDS MD, Badasrei Branch Post Office, in account with Banapur Sub Post Office of Puri Postal Division, has filed this Original Application challenging recovery of Rs.17603/- from his TRCA with prayer to direct the respondents to refund the amount with interest. His ground of challenge is that the Respondents



5

have illegally recovered the said amount and that the same effected without putting him any notice, in compliance with the principle of natural justice. It has further been stated that though he has sent representation on 3.3.2014 to Respondent No.3 against such recovery with prayer to refund the same till date neither the amount has been refunded to him nor has he been communicated any reply on the said representation. Hence this OA with the aforesaid prayer. Mr.P.R.J.Dash, Learned Additional CGSC is present for the Respondents.

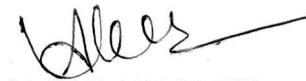
2. Heard learned counsel for both sides. Since as submitted by learned counsel for the Applicant, the matter is under subjudice before the competent authority i.e. Respondent No.3 at this stage I do not feel any justification to admit this OA and thereby precluding the competent authority from giving due consideration to the said representation. Similarly, when the applicant has submitted a representation he has a right to know the result thereof that too at the earliest opportunity. In view of the above, without expressing any opinion on the merit of the matter, this OA is disposed of at this admission stage with direction to the Respondent No.3 to take a view on the representation sent by the applicant on 3.3.2014, copy of which has been filed in this OA as Annexure-A/2 along with postal receipt and communicate the result thereof in a well reasoned order to the Applicant within a period of sixty days from the date of receipt of copy of this order. It is also made clear that on consideration of the representation if it is found

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6

that the applicant is entitled to the amount already recovery then expeditious steps be taken to refund the amount at an early date preferably within a period of sixty days from the date of the order on the said representation. There shall be no order as to costs.

3. As prayed for copy of the order along with OA be sent to Respondent No.3 by speed post at his cost for which learned counsel for the applicant undertakes to furnish the postal requisite by 25.6.2014.



(A.K.PATNAIK)
Member (Judicial)