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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/00456/2014

Cuttack this the 11th day of June, 2014

CORAM

HON'BLE SHRI R.C.MISRA, MEMBER(A)

Rabindra Nath Rout
Aged about 48 years
S/o. late Nishakar Rout
At/PO-Taradasole
PS-Khunta,
Dist-Mayurbhanj
At present working as GDSBPM, Tatadasole BO under Kushalda SO
Under Supdt.Post Offices, Mayurbhanj Division

...Applicant

By the Advocate(s)- Mr.T.Rath

-VERSUS-

Union of India represented through the

1. The Secretary,
Department of Posts
Govt. of India,
Sansad Marg,
New Delhi-110001
2. The CPMG
Orissa Circle, Bhubaneswar,
At/PO-Bhubaneswar
Dist-Khurda-751 001
3. Sr.Accounts Officer, in the office of Director of Accounts (Postal)
Mahanadi Vihar
Cuttack-753 004
4. Superintendent of Post Offices
Mayurbhanj Division,
At/PO/PS/Dist-Baripada
PIN-759 001
5. Postmaster
Baripada HO,
At/Post/Dist-Baripada-759 001

...Respondents

By the Advocate(s)-Mr.D.K.Behera

ORDER(Oral)

R.C.MISRA, MEMBER(A)

Heard Shri T.Rath, learned counsel for the applicant and Shri D.K.Behera, learned ACGSC on whom a copy of this O.A. has been served, appearing for Respondents and perused the records.

2. Applicant in this O.A. is presently working as GDSBPM, Tatadasole B.O. under Kushalda SO. His grievance is that he was drawing TRCA of Rs.7605/- in the month of August, 2012 which was reduced to Rs.6052/- in the month of September, 2012 showing audit recovery in a most whimsical and arbitray manner, without offering any opportunity of even a show cause or personal hearing. It is the case of the applicant that since the Post Master continued the recovery of Rs.1000/- from the TRCA without any intimation, the applicant sought information from the Superintendent of Post Offices, Mayurbhanj Division under RTI Act, 2005, regarding the reason for such recovery. After this information was made available to him, he made a representation dated 5.11.2012 vide Annexure-A/8 to Respondent No.4 mentioning therein that the recovery is wholly unjustified and therefore, he prayed for stopping this illegal recovery. He made a further a detailed representation dated 15.4.2014 to Respondent No.2, i.e., CPMG, Orissa Circle against the said recovery, which is said to be pending.

3. Shri D.K.Behera, ACGSC has no immediate information about the pendency of such a representation with Respondent No.2. Shri Rath on the other hand,



submitted that similar matters have been disposed of by this Tribunal by giving direction to the Respondents to dispose of the pending representations.

4. Considering the facts and circumstances of the case, I direct Respondent No.2, viz., CPMG, Orissa Circle to consider and dispose of the representation dated ⁵14.4.2014 if it is pending at his level and communicate the decision thereon to the applicant through a reasoned and speaking order within a period of sixty days from the date of receipt of this order. I would like to emphasize the fact that in the representation applicant has made a number of points quoting various rules extant pertaining to this matter, which the Respondent No.2, while disposing of the representation as aforesaid, shall take into account. It is also directed that till the representation as directed is disposed of, no further recovery from TRCA of the applicant shall be effected.

Ordered accordingly.

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

6. As agreed to by learned counsel for both the sides, a copy of this order along with paper book be sent to Res.No.2 at the cost of the applicant for which Shri Rath undertakes to file the postal requisites by 12.6.2014. Free copy of this order be made over to the learned counsel for both the sides.


(R.C.MISRA)
MEMBER(A)