

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00489 OF 2014
Cuttack, this the 26th day of June, 2014

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

.....
Pravat Kumar Sahoo,
Aged about 62 years,
Son of Late Ananta Charan Sahoo,
Retired Sr. Audit Officer,
Office of the A.G. (G&SSA) Odisha, Bhubaneswar,
At present residing in Plot NO. 4913
(near House No. EA-2) Baragarh Brit Colony,
Bhubaneswar-751018.

.....Applicant

Advocate(s)... M/s. P.K.Kar, D.K.Mohanty

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Union of India represented through

1. Secretary,
Ministry of Finance, Govt. of India,
New Delhi-110001.
2. The Comptroller and Auditor General of India,
9, Deen Dayal Upadhyaya Marg,
New Delhi-110124.
3. The Accountant General (G&SSA),
Odisha, Bhubaneswar-751001,
Bhubaneswar-751002.

..... Respondents

Advocate(s)..... Mr. S.B.Jena

O R D E R (ORAL)

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

Heard Mr. D.K.Mohanty, Learned Counsel for the Applicant, and
Mr. S.B.Jena, Ld. Addl. Central Govt. Standing Counsel appearing for the
Respondents, on who a copy of this O.A. has already been served, and
perused the materials placed on record.

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2. The applicant, in this second round of litigation, has prayed to quash the charge sheet dated 09.08.2012 (as per Annexure A/3) and to order that the same proceeding cannot be deemed to be a proceeding under Rule 9(2)(a) of CS (Pension) Rules,1972 as there is no charge of grave misconduct against him. Applicant has further prayed to direct Respondent No.3 to release his retiral dues with interest.

3. The applicant had previously filed O.A. No. 829/13, which was disposed of by this Tribunal vide order dated 16.12.2013 directing Respondent No.2 to consider/dispose of the pending representation dated 02.09.2013. Consequent to the above order, letter dated 05.03.2014 under Annexure-A/14 has been issued with certain recommendations, however, no final order has been passed. Basing upon said Annexure-A/14, the applicant made an application on 18.03.2014 vide Annexure-A/15 before Respondent No.3 to drop the proceeding initiated against him.

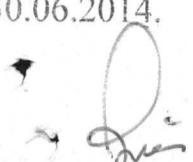
4. In view of the above and after going through the Annexure-A/14, recommendation, we are of the considered opinion that the grievance of the applicant may be redressed if the above recommendation is acted upon by the Respondents. Accordingly, we direct Respondent No. 3 to act upon Annexure-A/14 and pass a reasoned order within a period of 60 days from the date of receipt of a copy of this order under intimation to the applicant.

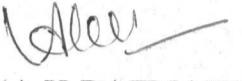
5. As agreed to by Ld. Counsel for both the sides, copy of this O.A., along with the copy of this order, be transmitted to Respondent No. 3 by Speed Post at the cost of the applicant, for which Mr. Mohanty, Ld.



Counsel for the applicant, undertakes to furnish the postal requisites by

30.06.2014.


(R.C.MISRA)
MEMBER (Admn.)


(A.K.PATNAIK)
MEMBER(Judl.)

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