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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00664 OF 2014
Cuttack, this the 8th day of September, 2014

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

.....

Alekh Mahanand,
aged about 53 years,
Son of Nitya Mahanand,
At Qtr No. 23089/Old Type II,
OFBL Estate, Badmal, PS-Titlagarh, Dist- Bolangir,
Presently working as LFM in FB Section now under suspension.

...Applicant

(Advocates: M/s. D.Kumar, P.P.Parida)

VERSUS

Union of India Represented through

1. Secretary,
Ministry of Defence,
New Delhi.
2. General Manager,
Indian Ordnance Factories,
Ordnance Factory, Badmal,
Dist- Balangir.

... Respondents

(Advocate: Mr. L. Jena)

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ORDER (ORAL)

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

Heard Mr. Deepak Kumar, Learned Counsel for the Applicant,
and Mr. L. Jena, Ld. Addl. CGSC appearing for the Respondents, on whom
a copy of this O.A. has already been served, and perused the materials
placed on record.



2. By filing this O.A. under Section 19 of the Administrative Tribunals Act, 1985 the applicant challenges the order of suspension dated 12.03.2013 issued by Respondent No.2 under Annexure-A/1. As it reveals from the record, applicant has been suspended since 12.03.2013 in view of a Criminal Case pending against him for offences U/s 304B/302/498-A/34 of IPC in Titlagarh PS Case No. 196/2012. It has been submitted that so far none of the witnesses has been examined in the criminal court. The order of suspension has been extended from time to time but till date no charge memo has been issued against the applicant. Mr. Kumar, Ld. Counsel for the applicant, submitted that ventilating his grievance, the applicant made representation vide Annexure-A/5 dated 04.04.2013 but till date no reply has been received by him.


3. Mr. L. Jena, Ld. ACGSC, has no immediate instruction whether any such representation has been filed by the applicant on 04.04.2013 and the status thereof.

4. Since the applicant's positive case is that no decision has been communicated to him by Respondent No. 2 on the representation submitted vide Annexure- A/5, without entering into the merit of this matter, this O.A. is disposed of at this admission stage with direction to Respondent No. 2 to consider the grievance of the applicant as referred to by him in his representation, if the same is still pending with him, and communicate the decision thereof, in a well-reasoned order to the applicant within a period of 60 (sixty) days from the date of receipt of a copy of this order. No costs.

5. As agreed to by Ld. Counsel for both the sides, copy of this order, along with the paper book, be transmitted to Respondent No.2 by

Almeida

Speed Post at the cost of the applicant, for which Mr. Kumar, Ld. Counsel
for the applicant, undertakes to furnish the postal requisites by 10.09.2014.


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


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

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