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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O.A.No.260/00713/14

Cuttack this the 30<sup>th</sup> day of September, 2014

CORAM

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

Sri Bijaya Kumar Mishra

Aged about 52 years

Son of Sri Purna Chandra Mishra

Presently working as Asst.Supt. of Posts (RMS)

North Division Cuttack

Permanent Resident of Vill-Markona, PS-Simulia

Dist-Balasore-756 126

...Applicant

By the Advocate(s)-Mr.S.K.Ojha

-VERSUS-

Union of India represented through

1. The Director General  
Department of Posts  
Government of India  
Dak Bhawan  
New Delhi
2. Director of Postal Services (Hqrs.)  
O/o. the Chief Post Master General  
Odisha Circle,Bhubaneswar-751 001
3. Chief Post Master General(CPMG)  
Odisha Circle,  
Bhubaneswar-751 001

...Respondents

By the Advocate(s)-Mr.L.Jena

ORDER(ORAL)

**R.C.MISRA, MEMBER(A):**

Heard Shri S.K.Ojha, learned counsel for the applicant and Shri L.Jena,

learned ACGSC for the Respondents and perused the records.

2. Applicant is the Assistant Superintendent of Post Offices in Balasore

Division under the Department of Posts. On account of disciplinary



proceedings initiated against him under Rule – 16 of CCS (CCA) Rules, vide Memorandum dated 02.05.2014, he has been imposed punishment vide order dated 17.06.2014 wherein an amount of Rs.90,000/- has been directed to be recovered from his salary @ Rs.9000/- per month in 10 equal monthly installments.

3. Shri Ojha during the course of hearing on admission submitted that this punishment has been imposed as a result of contributory negligence and therefore, the same is not sustainable. It is also brought to my notice that the applicant has filed an appeal dated 14.7.2014 to the Chief Post Master General, Odisha Circle ( Res.No.3) against the order of punishment, which is said to be pending with the said authorities.

4. Since a statutory appeal has already been preferred and is pending with the competent authority, at this stage, without going into the merit of the matter, I direct the Chief Post Master General, Odisha Circle (Res.No.3) to consider and dispose of the appeal that is pending at his level and communicate a 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.

5. It is, however, directed that till the appeal as directed above is disposed of and decision communicated, no recovery as per the order of



punishment dated 17.6.2014 shall be effected from the salary of the applicant.

6. With the above observation and direction, this O.A. is disposed of. No costs.

7. Copy of this order along with copy of paper book be handed over to the applicant to be <sup>Served</sup> on Chief Post Master General, Odisha Circle, Res.No.3 by dasti. Free copy of this order be made over to the learned counsel for both the sides.

  
**(R.C.MISRA)**  
**MEMBER(A)**

BKS