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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O.A.No.260/00719/14

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

CORAM

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

Sri Khageswar Mohanta  
Aged about 60 + years  
Son of late Nolambar Mohanta  
At-Godikansa, PO-Purujoda, Via-Sirigida, POS-Telkoi  
Dist-Keonjhar (retired Superintendent of Post Offices)

...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. Chief Post Master General(CPMG)  
Odisha Circle,  
Bhubaneswar-751 001  
Dist-Khurda, Odisha

...Respondents

By the Advocate(s)-Mr. B.K. Mohapatra

ORDER(ORAL)

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

Heard Shri S.K.Ojha, learned counsel for the applicant and Shri B.K. Mohapatra,

learned ACGSC for the Respondents and perused the records.

2. Applicant is a retired Superintendent of Post Offices. While working as such in Kalahandi Postal Division, Bhawanipatna, he was proceeded against under Rule – 16 of CCS (CCA) Rules, vide Memorandum dated 06.08.2012. On conclusion of the disciplinary proceedings, he was awarded punishment of recovery of Rs.1,00,000/- in six equal monthly installments

*Shri*

@ Rs.15,000/- per month with effect from January, 2014 and Rs.10,000/- in the month of July, 2014 from his pay, vide No. Inv/8-154/2011(Disc-I) dated 2.1.2014.

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 14.02.2014 to the Director General(Posts), New Delhi ( Res.No.1) 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 Director General of Posts, New Delhi (Res.No.1) 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 fortyfive days from the date of receipt of this order.

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

7. As agreed to by learned counsel for both the sides, copy of this order along with copy of paper book be sent to Director General of Posts, New Delhi (Res.No.1) at the cost of the applicant, for which Shri Ojha to file the



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postal requisites within two days. Free copy of this order be made over to the learned counsel for both the sides.

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

BKS

