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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00720 OF 2014
Cuttack, this the 14th day of October, 2014

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (Judl.)

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Priya Nayak,
Aged about years,
Son of Late Khatia Nayak,
At/PO- Talabasta, Via- Banki,
Dist- Cuttack.

.....Applicant

Advocate(s)... M/s. A.Mishra, S. Soren, M.S.Swarup.

VERSUS

Union of India represented through

1. Secretary of State for Science and Technology and Earth Science and Vice President CSIR,
At- Anusandhan Bhawan-2,
Rafi Marg, New Delhi -110001.
2. Director,
Institute of Minerals & Materials Technology,
Bhubaneswar- 751013.
3. Administrative Officer,
Institute of Minerals & Materials Technology,
Bhubaneswar- 751013.

..... Respondents

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

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ORDER (ORAL)

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

Heard Mr. A. Mishra, Ld. Counsel for the applicant, and Mr. S.B.Jena, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.



2. Applicant, a retired employee, while working under Respondent No.2 had availed of a flood loan from Neelanchal Gramya Bank, Pahal Branch in the year 2001. It is the case of the applicant that while recovering the loan EMI, excess recovery has been done by the office. Ventilating his grievance and requesting the refund of the excess amount, he made a representation on 05.08.2013 before Respondent No.2 vide Annexure-A/5. Having received no response he has moved this Tribunal in the present O.A. under Section 19 of the Administrative Tribunals Act, 1985 with the prayer "to direct Respondent No.2 to refund back the excess amount deducted by the office in the year 2003 and 2004 from the salary of the applicant with interest".


3. Mr. S.B.Jena, Ld. ACGSC appearing for the Respondents, submits that he has no immediate instruction whether any such representation has been filed by the applicant and, if so, the status thereof.

4. Taking into account the various submissions made by Ld. Counsel for both the sides and the specific stand of the applicant that his representation is stated to be pending for consideration, without going into the merit of this case, I direct Respondent No.2 to consider and dispose of the representation stated to be filed by the applicant on 05.08.2013, if the same is still pending, and pass a reasoned and speaking order under intimation to the applicant within a period of 60 (sixty) days from the date of receipt of a copy of this order. If the representation has already been disposed of in the meantime then the result thereof be communicated to the applicant within a period of 30 days from the date of receipt of a copy of this order.



5. With the above observation and direction, this O.A. is disposed of at the stage of admission itself.

6. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with the paper book, be transmitted to Respondent No. 2 by Speed Post at the cost of the applicant, for which Mr. Mishra, Ld. Counsel for the applicant, undertakes to furnish the postal requisites by 17.10.2014.


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

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