

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00046 OF 2017
Cuttack, this the 10th day of March, 2017

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

.....

Kedarnath Panda, aged about 20 years, S/o-Sri Ashok Kumar panda, At/PO-Kurtamgarh, Dist-Kandhamal.

...Applicants

(By the Advocate-M/s. P. R. J. Dash, Smt. J. Mishra)

-VERSUS-

Union of India Represented through

1. Secretary-cum-Director general of Posts, Dak Bhawan, Sansad Marg, New Delhi-110116.
2. Chief Post Master general, Odisha Circle, At/PO-Bhubaneswar, Dist-Khurda-751001.
3. Superintendent of Post Offices, Phulbani Division, At/PO-Phulbani, Dist-Kandhamal-762001.

...Respondents

By the Advocate- (Mr. C. M. Singh)

ORDER(Oral)

R.C. MISRA, MEMBER(A):

Heard Mr. P.R.J. Dash, Ld. Counsel appearing for the applicant and Mr. C.M. Singh, Ld. ACGSC appearing for the Respondents on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. Mr. Dash submitted that applicant was engaged as GDSBPM of Dengesiguda B.O. on 14.09.2015, and is now working as such till today. He has been working in the said post in place of one Sri Manas Ranjan Padhi who was the regular GDSBPM of Dengesiguda B.O. and was allowed to proceed on leave. Therefore, the applicant is now working as a substitute GDSBPM of Dengesiguda B.O. The grievance for which he has approached this Tribunal is that, although he has been discharging his duties since 14.09.2015, his TRCA (wages) has not been paid to him so far. Therefore,

the applicant made a representation to the Superintendent of Post Offices, Phulbani who has been impleaded as Respondent No.3 in the present O.A.

3. In the said representation the applicant has made his prayer for release of TRCA and has also made prayer that he should be regularly adjusted in the said post of GDSBPM of Dengesiguda B.O. since he has come to know that Sri Manas Ranjan Padhi the regular GDSBPM of Dengesiguda B.O. may not join in his service. In so far as the payment of TRCA is concerned, it is a matter of concern that the Respondents have not paid the wages as due to the applicant when they are extracting work from him and this is not an acceptable situation. However, making the prayer for regular appointment in the post of GDSBPM of Dengesiguda B.O. cannot be clubbed with the prayer of wages/TRCA. When confronted this question Mr. Dash has submitted that in the present O.A., prayer may be confined only regarding release of TRCA of the applicant.

4. On perusal of the said representation dated 03.11.2016 said to be pending before Respondent No.3, I also found that the applicant has made a prayer that he should be regularly adjusted in the said post since he has come to know that Sri Manas Ranjan Padhi the regular GDSBPM of Dengesiguda B.O. may not join in his service. Whatever, may be the source of information for the present applicant the Respondents are better placed to know what the regular GDSBPM of Dengesiguda B.O. is going to do. This can not be a ground for praying for regular appointment in the said post. In view of the

facts as stated above, the only relief to which the applicant in my view is entitled for payment of TRCA in which period he has been working against the said post of GDSBPM of Dengesiguda B.O.

5. Since the matter is pending with Respondent No.3, therefore, at this stage, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No.3 to consider and dispose of the representation of the applicant dated 03.11.2016 (Annexure-A/3) and communicate the result thereof to the applicant by way of a well-reasoned order and release the TRCA as payable to the applicant if he has been working against the said post as substitute within a period of 30 (thirty) days of receipt of copy of this order.

6. With the aforesaid observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

7. On the prayer made by Mr. P.R.J. Dash, Ld. Counsel appearing for the applicant, copy of this order along with paper book be communicated to the Respondent Nos.2 & 3 by Speed Post at the cost of the applicant, for which Mr. Dash undertakes to file the postal requisites by 15.03.2017.

(R.C.MISRA)
MEMBER(A)

K.B.