


BACK

 **Print**

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

No. Of Adjournment : 1

COURT NO. : 1

29.04.2019

O.A./260/292/2019

ADITYA PRASAD PANDA

-V/S-

D/O POST

ITEM NO:26

FOR APPLICANTS(S) Adv. : Mr.C.P.Sahani

FOR RESPONDENTS(S) Adv.: Mr.B.K.Mohapatra

Notes of The Registry	Order of The Tribunal
	<p>Heard both the learned counsels for the applicant and the respondents.</p> <p>2. Mr.B.K.Mohapatra, learned counsel filed memo of appearance on behalf of the respondents. Registry is directed to reflect his name.</p> <p>3. The applicant has been imposed a penalty of recovery of Rs.4.5 lakhs from his salary in pursuance of the minor penalty proceeding for charges like misappropriation of money. it is stated by the learned counsel for the applicant that actually one Bijay Kumar Nayak was found responsible for misappropriation as per the report copy at Annexure A/8 which is proposed for recovery from the main dues payable to Mr.Bijay Kumar Nayak. But instead of taking any action against the senior, the applicant has been punished.</p> <p>4. Learned counsel for the respondents submitted that appeal dated 29.3.2019 (Annexure A/5) has been filed by the applicant and the appeal is still pending with the authority. learned counsel for the applicant submitted that in his prayer before the Appellate Authority request has been made for staying the recovery but no order has been passed by the Appellate Authority.</p> <p>5. In view of the above submissions the OA is disposed of without expressing any opinion on the merit of the case with a direction to respondent No.3 to consider the appeal dated 29.3.2019 (Annexure A/5) as quickly as possible and pass a speaking and reasoned order, copy of which is to be communicated to the applicant within six weeks from the date of receipt of the copy of this order.</p>

Till disposal of the appeal, no further recovery from the applicant's pay shall be effected by the respondents in pursuance to the punishment order at Annexure A/3.

6. The OA is accordingly disposed of with no order as to costs.

7. Copy of the order be handed over to the learned counsel for the respondents.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

I.Nath