

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH**

OA No. 15 of 2012

Date of order : 7.2.2019

**Present: Hon'ble Mr. Gokul Chandra Pati, Member (A)
Hon'ble Mr. Swarup Kumar Mishra, Member (J)**

Bharat Chandra Jena, aged 53 years, S/o Late Achyutananda Jena, resident of Vill/Post – Dharmadaspur, Via – Kunapala, District – Cuttack, Odisha, Pin – 754204.

.....Applicant

VERSUS

1. Union of India, represented through its 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, Cuttack North Division, P.K.Parija Marg, PO – Cuttack GPO, Dist. – Cuttack, 753001.
4. Inspector of Posts, Salipur Sub Division, At/PO – Salipur, Dist. – Cuttack – 754202.

.....Respondents.

For the applicant : Mr.N.R.Routray, counsel

For the respondents: Mr.M.R.Mohanty, counsel

O R D E R (ORAL)

Per Mr.Gokul Chandra Pati, Member (A)

The present OA is filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs :

"In view of the facts stated above, it is humbly prayed that the Hon'ble Tribunal may graciously be pleased to direct the respondents to fix the pay of the applicant in the TRCA of GDSMD at appropriate stage taking into the work load and direct to pay combined duty allowance from 14.10.2006 with interest, cost and compensation.

And any other order(s) as the Hon'ble Tribunal deems just and proper in the interest of justice."

2. Heard learned counsels for the applicant and the respondents.
3. After taking into account the pleadings of the respondents in the counter, we are of the opinion that the grievance of the applicant will be redressed if the OA is disposed of with a direction to consider the representation dated 21.10.2011 (Annexure A/7) addressed to the respondent No.3 for payment of his allowances as per rules. Learned counsel for the

respondents submitted that the applicant is not entitled to the allowances as claimed in view of the facts explained in the counter.

4. In view of the limited prayer of the learned counsel for the applicant, the OA is disposed of at this stage with a direction to the respondent No.3 to consider the representation dated 21.10.2011 (Annexure A/7) of the applicant as per rules and existing guidelines of the Government and dispose of the same by passing a speaking order as per the provisions of law and the copy of the order be communicated to the applicant within two months from the date of receipt of the copy of this order. The applicant will be at liberty to enclose a copy of this order along with the copy of the representation dated 21.10.2011 (Annexure A/7 to the OA) to the respondent no.3 within 10 days from the date of receipt of the copy of this order.

5. It is made clear that we have expressed no opinion on the merit of the case.

6. The OA is accordingly disposed of. There will be no order as to costs.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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