

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

ORDER SHEET

COURT NO. : 1

22/02/2019

O.A./260/117/2019
WITH IO, ON MEMO

BIJAYA KUMAR MUDULI
-V/S-
D/O POST

ITEM NO:5

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

FOR RESPONDENTS(S) Adv.: Mr. B. Swain

Notes of The Registry	Order of The Tribunal
	<p>Heard Learned Counsels for the applicant and respondents.</p> <p>Ld. Counsel for the Applicant submitted that an appeal dated 28.01.2019 (Annexure-A/11) has been filed by the applicant against the order of punishment of recovery before the Respondent No.3. In the appeal vide sub-para (ii) of the prayer, the request has been made for staying the recovery till a decision is taken on the appeal. Applicant counsel submitted that no decision has been taken by the appellate authority till date.</p> <p>Ld. Counsel for the respondents requested for some time to obtain instructions regarding the status of this case. He also prayed for staying the recovery till the appeal is decided.</p> <p>As the appeal of the applicant dated 28.01.2019 (Annexure-A/11) is pending before the appellate authority it will be appropriate if appellate authority takes a decision. Considering the fact that the appeal has been filed on 28.01.2019 and no decision is communicated to the applicant as on date, the O.A. is disposed of at this stage with a</p>

direction to Respondent No.3/competent authority to decide the prayer No.(ii) of the appeal dated 28.01.2019 (Annexure-A/11) for staying the recovery as per the punishment order, within two weeks from the date of receipt of a copy of this order and dispose of the appeal dated 28.01.2019 (Annexure-A/11) of the applicants, as per the provisions of law by passing a speaking and reasoned order under intimation to the Applicant within a period of two months from the date of receipt of this order.

It is made clear that no opinion on the merit of this case has been expressed while passing this order. The O.A. is disposed of accordingly . No costs.

(GOKUL CHANDRA PATI)
MEMBER (A)

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