

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

**ORDER SHEET**

COURT NO. : 1

11/09/2019

O.A./260/166/2019

B R BEHERA

-V/S-

D/O POST

ITEM NO: 15

FOR APPLICANTS(S) Adv. : Mr.S.B.Jena

FOR RESPONDENTS(S) Adv.: Mr.A.Pradhan

Notes of The Registry	Order of The Tribunal
	<p>Heard both the learned counsels for the applicant and the respondents.</p> <p>This OA was filed challenging the order of suspension vide Annexure A/1. Applicant's counsel submitted that he came to know from the counter that in the meantime the applicant has been removed from service vide order dated 5.10.2017 (Annexure R/3 to the counter) and he submitted that the applicant has not been served with the copy of this order, as a result of which he has not been able to challenge the said order.</p> <p>Learned counsel for the respondents submitted that due procedure has been followed and due opportunity has been given to the applicant in the matter.</p>

In view of the above, learned counsel for the applicant prayed for withdrawing the OA with liberty to the applicant to take appropriate action as per law.

The OA is disposed of at this stage as withdrawn with liberty to the applicant to approach the Appellate/ Competent Authority challenging the said removal order (Annexure R/3 to the counter) with an application for condonation of delay within a period of one month. If such an appeal is filed, Appellate/Competent Authority will take appropriate decision in the matter as per provisions of law and communicate the decision to the applicant.

There will be no order as to costs.

( SWARUP KUMAR MISHRA)  
MEMBER (J)

( GOKUL CHANDRA PATI)  
MEMBER (A)

I.Nath

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