

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

ORDER SHEET

COURT NO. : 1

19/07/2019

O.A./260/468/2019

P K BARIK
-V/S-
D/O POST

ITEM NO:7

FOR APPLICANTS(S) Adv. : Mr. D.K. Mohanty

FOR RESPONDENTS(S) Adv.: Mr. P.K. Mohanty

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsels for the applicant and respondents.</p> <p>Mr. P.K. Mohanty, Ld. Counsel entered appearance on behalf of the Respondents. Registry to reflect his name in the future cause list.</p>
	<p>This O.A. has been filed by the applicant challenging the order of punishment of recovery of Rs.1,00,000/- vide order dated 21.06.2019 (Annexure-A/7). He has filed appeal dated 08.07.2019 (Annexure-A/8) before the Respondent No.3 and has made request to stay the recovery of salary as per punishment order till finalization of the appeal.</p>
	<p>Respondents' counsel submitted that he has no instruction about the representation and</p>

requested for time to obtain instruction about the status of the representation.

In view of the above submissions, we are of the view that no purpose would be served by keeping the O.A. pending and taking note of the fact that the applicant has filed the appeal dated 08.07.2019 (Annexure-A/8) which is pending, the O.A. is disposed of at this stage with a direction to Respondent No.3/competent authority to consider the appeal dated 08.07.2019 (Annexure-A/8) of the applicant and dispose of the said appeal if it is still pending, by a speaking order as per the provisions of law, copy of which is to be communicated to the applicant within two months from the date of receipt of a copy of this order. Till disposal of such appeal dated 08.07.19, respondents are not to effect recovery in pursuance to impugned punishment order at Annexure-A/7.

It is made clear that this Tribunal has not expressed any opinion on the merit of the case while passing this order. The O.A. is disposed of accordingly. No costs.

Free copy of this order be given to Ld. Counsel for both the sides.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

kb