CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,

ORDER SHEET

No. Of Adjournment : 2

COURT NO. : 1
18.09.2019
O.A./260/528/2019

B K BISWAL
-V/S-
D/O POST

ITEM NO:3
FOR APPLICANTS(S)   Adv. :   Mr. C. P. Sahani

FOR RESPONDENTS(S) Adv.:   Mr. A. C. Deo

Notes of The Registry	Order of The Tribunal
	Heard Ld. Counsels for the applicant and respondents. Ld. Counsel for the respondents files copy of the instruction received by him and submitted that as per rules no show cause is required to be given to the employee for the purpose on the basis of audit report. Ld. Counsel for the applicant submitted that principle of natural justice has not been followed by giving any opportunity to show cause to the applicant and no communication was also made before making such recovery on the basis of audit report from 01.10.2014 to 28.02.2018. Ld. Counsel for the applicant further submitted that the applicant has submitted a representation dated 30.07.2019(Annexure-A/2) before the respondent no.1/competent authority which is pending as on date. He further submits that the grievance of the applicant would be redressed if a direction is given to the respondents to dispose of the pending representation in a time bound manner. In view of the above submissions, the OA is disposed of at this stage with a direction to the respondent No.1/competent authority to consider the representation of the applicant dated 30.07.2019 (Annexure-A/2) and dispose of the same as per the provisions of law and communicate

the decision by a speaking order to the applicant within a period of two months from the date of a receipt of a copy of this order. It is made clear that we have not expressed any opinion on the merit of the case. Till disposal of the representation by the respondents as above, no recovery shall be made from the applicant in pursuance to the audit report in question.

Copy of this order be given to Ld. Counsels for both the sides.

(SWARUP KUMAR MISHRA)   (GOKUL CHANDRA PATI)
        MEMBER (J)   MEMBER (A)

pms