

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

ORDER SHEET

COURT NO. : 1

25/09/2019

O.A./260/640/2019

JIBAN KUMAR BEHERA

-V/S-

D/O POST

ITEM NO:15

FOR APPLICANTS(S) Adv. : MR.C.P.SAHANI

FOR RESPONDENTS(S) Adv.: MR.A.PRADHAN

Notes of The Registry	Order of The Tribunal
	<p>Heard learned counsel for the applicant and Mr.A.Pradhan, learned counsel appearing on behalf of the respondents. The applicant is aggrieved by the order of the Disciplinary Authority by which a minor penalty has been imposed on him and the period of absence has been treated as dies non, which, according to applicant's counsel, amounts to double punishment on the applicant particularly when he had to remain absent on account of the medical grounds. Learned counsel for the respondents submitted that since the applicant had remained absent on medical grounds, it was necessary for him to inform the the authorities of his absence, but, no such intimation was given. Learned counsel for the applicant submitted that against the order of punishment, the applicant has submitted an appeal dated 25.4.2019 (A/6) which is pending before the Appellate Authority, i.e., Respondent No.3 and his grievance will be addressed, if a direction is given for disposal of the said appeal.</p> <p>In view of the above submissions, the O.A. is disposed of at this stage without expressing any opinion on the merit of the case, with a direction to Respondent No.3/Appellate Authority to consider the appeal dated 25.4.2019 (A/6) and dispose of the same by passing a reasoned and speaking order</p>

as per the provisions of law, copy of which is to be communicated to the applicant within a period of 45 days from the date of receipt of copy of this order.

The O.A. is disposed of as above, with no order as to costs.

Free copy of this order be made over to learned counsels for both the sides.

(GOKUL CHANDRA PATI)
MEMBER (A)

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