

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

LIBRARY

O.A. 351/00865/ 2019

Order dated: 23.07.2019

**Coram : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member**

K.Shashikant,
S/o Sri Girish Prasad,
by occupation-Assistant Accounts Officer,
in the O/O The Jt. Controller of Communication
Accounts, A&N Circle, at Kendriya Sadan,
Ranchi Basti, Lamba Line, Port Blair,
District-South Andaman, PIN- 744101,
Andaman & Nicobar Islands.

..... Applicant

Versus

1. The Union of India,
Service through the Secretary,
Ministry of Communication,
Dept. of Telecommunication,
Sanchar Bhawan, 20 Ashoka Road,
New Delhi-110001;
2. The Inspector General (Adm.),
CRPF, CGO Complex, Lodhi Road,
New Delhi-110001;
3. The Director General of CRPF,
CGO Complex, Lodhi Road,
New Delhi-110001;
4. The Controller of Communication Accounts,
AP Circle, DOT, Sanchar Lekha Bhawan,
Chikadpally, Hyderabad-500067;
5. The IGP(Medical)/Medical Supdt.,
Composite Hospital, CRPF, Barkas,
P.O. -Chandrayangutta,
Hyderabad- 500005;
6. The Jt. Controller of Communication Accounts,
A&N Circle, Kendriya Sadan, Ranchi Basti, Lamba
Line, Port Blair, District-South Andaman,
PIN- 744101, Andaman & Nicobar Islands

..... Respondents.

For the applicant : Mr. B.K.Das, Counsel
For the respondents : None

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ORDER (ORAL)

Per Dr. Nandita Chatterjee, Administrative Member:

The applicant has approached the Tribunal praying for the following relief:

"i) Declare the recovery orders of Respondent No.4 dated 14.05.2019 for Rs. 4,13,034/- as illegal, arbitrary and contrary to guidelines on recovery of pay of Government employees without disposal of representations of employees and it is also against the natural justice;

ii) Direction be passed upon Respondent no.1 to 5 to issue speaking orders on following pending representations of the applicant as discussed above in Para-4 of this O.A.;

(a) Representation dated 09.05.19 against downward pay fixation w.e.f.01.01.2006 by Respondent No.3.;

(b) Representation dated 06.09.17, 10.10.18 & 08.04.19 regarding allowing benefit of one increment for holding higher post of AAO on Local Officiating basis beyond 2nd MAGP in GP Rs. 4600/- w.e.f. 04.12.2015;

(c) Representation dated 24.10.2018 for granting Annual Increment on higher pay as per DoT Hqr Order No. 25-04/2008-SEA-II dated 07.03.2014.

(d) Representation dated 04.06.2019 through which requested not to invoke the recovery orders without disposal of pending representations.

iii) Pass such orders as are necessary in the interests of justice."

2. Heard Ld. Counsel for the applicant, examined documents on record.

Matter is taken up at the admission stage. Affidavit of service is taken on record.

3. The submission of the applicant, as canvassed through his Ld. Counsel, is that the applicant is presently working as Assistant Accounts Officer with the Respondent authorities and he has raised a dispute, inter alia, against his pay fixation on account of Office Order dated 31.01.2019/his claim for revision of his pay w.e.f. 01.01.2006, and, that, although the applicant has sought for redressal of his grievance by way of representations, and, that, although the said representations were forwarded to the appropriate authority for consideration,

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the same remains undisposed till date and, accordingly, being aggrieved, the applicant has approached the Tribunal for relief.

The applicant has prayed for disposal of a number of his representations in his plea. Ld. Counsel for the applicant, however, submits that he would only like to press the disposal of representation against pay fixation w.e.f. 01.01.2006 by Respondent No.3, towards which, representation dated 09.05.2019 at Annexure-A/2 to the O.A. remains pending for consideration.

4. Respondents are not represented despite affidavit of service. We are of the considered view, however, that it will not be prejudicial to direct the Respondents to consider the applicant's representation, which is pending at their end within a specified time frame. Accordingly, without entering into the merits of the matter, we hereby direct Respondent No. 2, who is the Inspector General (Adm), CRPF, to examine the contents of representation dated 09.05.2019 (Annexure-A/2 to the O.A.) if received at his end, within a period of eight weeks from the date of receipt of a copy of this order. The concerned Respondent authority shall decide the same in accordance with law and convey his decision in a reasoned and speaking order forthwith to the applicant thereafter.

In case of a favourable decision, applicant may be accorded necessary benefits within a further period of twelve weeks thereafter.

5. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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