

**CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCH, CUTTACK,
ORDER SHEET**

COURT NO. : 122/11/2019 O.A./260/734/2019 B K PATTANAIK

-V/S-

D/O POST ITEM NO:9 FOR APPLICANTS(S) Adv. :Mr. S.K. Ojha

FOR RESPONDENTS(S) Adv.:Mr. C.M. Singh

| Notes of The Registry | Order of The Tribunal |
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| | Heard Ld. counsel for the applicant and Mr. C.M. Singh, Ld. Counsel entered appearance on behalf of the respondents. Registry to reflect the name of Mr. C.M. Singh, Ld. Counsel for the respondents in the cause list in future. |
| | Ld. Counsel for the applicant submits that there is delay in departmental proceeding and the applicant himself had pointed out the irregularity in question in the error book dated 12.07.2019 (Annexure-A/3). The disciplinary proceeding was initiated due to the irregularity which took place in the year 2012. After punishment was imposed on the applicant he has filed appeal on 14.10.2019 (Annexure-A/8) and was also filed petition for stay for recovery amount from him. It has been directed that Rs.2,40,000/- be recovered @ 10,000/- per month on 24 months installments. |
| | However, we are of the opinion that no purpose would be served by keeping this O.A. pending when the applicant's appeal dated 14.10.2019 (AnnexureA-8) is pending. It is |

expected that the Appellate Authority shall consider and dispose of the appeal of the applicant at Annexure-A/8 by passing a speaking and reasoned order within a reasonable period preferably within a period of three months from the date of receipt of copy of this order. Applicant is at liberty to challenge the order passed by the Appellate Authority if he is aggrieved. Applicant may file application before the Appellate Authority seeking permission for personal hearing. In the above circumstances, it is directed that there shall be no recovery from the applicant's salary in pursuance of the disciplinary proceeding till disposal and communication of the order of the appeal by the Appellate Authority to the applicant.

The O.A. stands disposed of accordingly. No costs.

Urgent copy of this order to Ld. Counsel for both the sides.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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