

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

COURT NO. : 110/01/2020 O.A./260/749/2019

M.A./260/964/2019 MANOJ KUMAR DEHURY

-V/S-

D/O POST ITEM NO:1 FOR APPLICANTS(S) Adv. : Mr. S. K. Ojha

FOR RESPONDENTS(S) Adv.: Mr. A. Pradhan

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsels for the applicant and respondents.</p> <p>Ld. Counsel for the applicant submitted that after rejection of the case of the applicant for engagement as GDS as per the impugned order dated 27.10.2014(Annexure-A/5) by the respondents on the ground of less merit points, the OA has been filed by the applicant with MA No. 964/19 for condoning the delay. It is also submitted that the applicant is facing miserable financial conditions as stated in the MA, for which he could not take action for filing of OA before the Tribunal in time. He further submits that at present the merits point system has been abolished by the respondents. He further submitted that his grievance will be addressed for the present if the OA is disposed of at this stage giving a direction to the respondents for consideration of the applicant's case for compassionate engagement as GDS. Ld. Counsel for the applicant further submitted that the applicant's case can be considered since as per DOPT guidelines it can be considered thrice. He further submits that as per present practice, the point system has been disposed with vide the circular dated 30.05.2017(Annexure-A/3).</p>
	<p>Ld. Counsel for the respondents submitted that under the rules there is no provision for consideration of the case once more and though notice was issued vide order dated 28.11.2019, no reply could be filed by the respondents. Ld. Counsel for the respondents</p>

also requested for some time to file reply/objection to the MA.

In view of the submissions of learned counsel for the applicant, the OA is disposed of at this stage without expressing any opinion on the merit of the case including the issue of the delay, with a direction to the respondent No.2 & 3/competent authority to consider the case of the applicant afresh in accordance with rules as applicable to the case and communicate the decision by a reasoned and speaking order to the applicant within a period of two months from the date of a receipt of a copy of this order.

Applicant will have the liberty to send a copy this order with the Paper Book to the Respondent Nos. 2 & 3 by Post at the cost of the applicant within one week from the date of receipt of copy of this order.

The OA is disposed of accordingly with no order as to costs. Copy of this order be given to Ld. Counsels for both the sides.

(GOKUL CHANDRA PATI)
MEMBER (A)

pms