

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

COURT NO. : 120/01/2020 O.A./260/241/2017

M.A./260/167/2019 P C MISHRA

-V/S-

STATE ITEM NO:85 FOR APPLICANTS(S) Adv. : Mr. B. K. Sharma

FOR RESPONDENTS(S) Adv.: Mr. A. K. Mohapatra  
Mr. J. Pal

| Notes of The Registry | Order of The Tribunal  |
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|                       | <p>Heard Ld. Counsels for the applicant and respondents.</p> <p>It is submitted by Ld. Counsel for the applicant that limited prayer by learned counsel for the applicant's appeal is pending before the appellate authority and his grievances will be addressed for the present if the OA is disposed of at this stage giving a direction to the respondent no.1 who is the Appellate Authority, for consideration of the said appeal as per the provisions of law at Annexure-A/3.</p> <p>Ld. Counsel for the respondents submitted that the appeal is filed with an application for condoning the delay in filing the said appeal which needs to be considered by the Appellate Authority.</p> |
|                       | <p>In view of the above, the OA is disposed of at this stage without expressing any opinion on merit, with a direction to the respondent No.1/appellate authority to consider the appeal dated 26.08.2016 (Annexure-A/5) filed by the applicant along with delay application, as per the provisions of law, if the said appeal is pending as on date, by passing a speaking and reasoned order disposing of the appeal, copy of which to be communicated to the applicant within a period of three months from the date of a receipt of a copy of this order.</p>  |

Applicant will have the liberty to move the Appellate Authority to be given an opportunity of hearing with relevant documents and citations and if such an application is made by the applicant, the Appellate Authority will consider the application to allow a hearing to the applicant as per the rules before consideration of his appeal.

With the above observations, the OA as well as the pending MA are disposed of with no order as to costs. Copy of this order be given to Ld. Counsels for both the sides.

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| ( SWARUP KUMAR MISHRA)<br>MEMBER (J) | ( GOKUL CHANDRA PATI)<br>MEMBER (A) |
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