

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

COURT NO. : 119/12/2019 O.A./260/803/2019
M.A./260/1026/2019 PRAKASH CHANDRA SWAIN

-V/S-

CENTRAL EXCISE & CUSTOMS ITEM NO:21 FOR APPLICANTS(S) Adv. : Mr. N. R. Routray

FOR RESPONDENTS(S) Adv.: Mr. J. K. Nayak

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsels for the applicant and Mr. J. K. Nayak, Ld. Counsel who appears for the respondents in this case.</p> <p>The objection of the office, regarding petition filed by the applicant, to jointly peruse the matter is ignored. MA No. 1026/19 filed by the applicant to prosecute this OA jointly is Allowed. Ld. Counsel for respondents submitted that only two days back, applicant had submitted a representation dated 06.12.2019 vide Annexure-A/4 series. Ld. Counsel for the applicant also submits that the judgments of Hon'ble Supreme Court in the case of N. R. Parmar has been over ruled and has been filed by the applicant at Annexure-A/3. The authorities should consider the promotion of the applicant. Ld. Counsel for the respondents has drawn attention of this Tribunal to Para-40 of the said judgment.</p>
	<p>In view of the above, the OA is disposed of at this stage with a direction to the respondent No.3/competent authority to consider the representation at Annexure-A/5 series filed by the applicant regarding their promotion and dispose of the same as per the provisions of law and communicate the decision by a speaking order to the applicant as expeditious as possible from the date of a receipt of a copy of this order.</p>

Applicant will have the liberty to send a certified copy of this order along with copy of the OA to the Respondent No.3 by Speed Post.

With the above observations the OA is disposed of accordingly. No order as to costs. Copy of this order be given to Ld. Counsels for both the sides.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

pms