

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1
28/02/2020
O.A./260/101/2015

TAPAS KUMAR SAHOO
-V/S-
COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH

ITEM NO:13

FOR APPLICANTS(S) Adv. : Mr. K. C. Kanungo

FOR RESPONDENTS(S) Adv.: Mr. D. K. Mohanty-1
Mr. A. K. Mishra
Mr. D. K. Panda

Notes of The Registry	Order of The Tribunal
	<p>Heard Learned counsels for the applicant and respondents. Learned counsel for the applicant filed a copy of the judgment of Hon'ble High Court of Madras in WP No. 34120 and 34121 of 2015 dated 25.04.2017 in the case of S. Stephenson and others versus Director, CECRI and others. It is further submitted by the applicant's counsel that the applicants grievance will be addressed if a direction is given to the respondents to consider his case in the light of the judgement of Hon'ble Madras High Court as above which has also been upheld by Hon'ble Apex Court vide order dated 04.07.2019 in the Civil (diary) No. 20493/2019. The applicant has also submitted representation dated 21.08.2019, copy of which is furnished by Learned counsel. Learned counsel for the respondents submits that as per his instructions, the judgment may not be applicable to the applicant's case. Learned counsel for the applicants submitted that as per the judgment of Hon'ble Madras High Court there cannot be any differentiation between the administrative and technical staffs.</p> <p>In view of the submission above and without expressing any opinion on the merits of the case, the OA is disposed of at this stage with direction to the respondents No. 2/ Competent Authority to consider the representation dated 21.08.2019 of the applicant, if the said representation is pending, in light of the judgment of Hon'ble Madras High Court dated 25.04.2017 and pass an appropriate speaking order copy of which is to be communicated to the applicant within two months from the date of receipt of copy of this order. Applicant will be at liberty to send a copy of</p>

this order along with a copy of his representation and copy of the judgment of Hon'ble Madras High Court as above to the Respondent No. 2/Competent Authority within 7 days.

The OA stands disposed off accordingly. Copy of the order to Learned counsel of both the sides.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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