

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

ORDER SHEET

COURT NO. : 1
07/09/2020
O.A./260/344/2020

SOUMAYA MOHANTY
-V/S-
UNION OF INDIA

ITEM NO:9

FOR APPLICANTS(S) Adv. : Mr. K. K. Mishra
Mr. N. R. Routray

FOR RESPONDENTS(S) Adv.: Mr. P. K. Mohanty

Notes of The Registry	Order of The Tribunal
	<p>Learned counsel for the applicant and respondents are present and heard through VC. Applicant's counsel submitted that applicant was appointed as GDS vide order dated 13.09.2019 (Annexure A/2) after due selection. After working for long time for a year, he has been served with a notice dated 24.07.2020 (Annexure A/3) for termination of his engagement after expiry of one month which will be effective from 18.09.2020. He submitted that no show cause notice was given to him as per the principles of natural justice.</p> <p>Learned counsel for the respondents submitted that the applicant was not selected for the post of GDS through regular selection process and he was provisionally appointed subject to termination on notice. He objected to the maintainability of the OA since no representation has been filed by the applicant before competent authority before approaching this Tribunal.</p> <p>In view of the above submissions and without expressing on the merit of the case, the OA is disposed of at this stage with liberty to the applicant to file a detailed representation including citations and rules in his favour as well as the grounds taken in this OA and enclosing a copy of this order to the respondent no. 3 within a week from the date of receipt of copy of this order. If the representation is given then respondent no. 3 within the time as above, the competent authority will consider it in accordance with law and dispose of it by passing a speaking order, copy of which will be communicated to the applicant by 18.09.2020, failing which, no further action is to be taken in pursuance to order at Annexure A/3 till disposal of such representation. If the applicant fails to file any such representation as stated above, then the respondents are free to take decision in the matter as per law.</p> <p>OA stands disposed of accordingly. Copy of the order to learned counsel for both the sides.</p> <div><div>(SWARUP KUMAR MISHRA) MEMBER (J)</div><div>(GOKUL CHANDRA PATI) MEMBER (A)</div></div>

