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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK.

Original Application No. 308 of 1988

Date of decision 7th March, 1989

1. Adikanda Jena, aged about 25 years
son of Brusaba Jena, At/P.O.Ambagadia,
P.S.Anandapur,Via-Fakirpur,
District-Keonjhar
EDBPM,Ambagadia. Applicant

-Versus-

1. Union of India, represented by the
Secretary, Department of Posts, New Delhi.

2. Postmaster General, Orissa Circle,
At/P.O.Bhubaneswar, Dist.Puri.

3. Superintendent of Post Offices, Keonjhar Division,
At/P.O/P.S. & Dist.Keonjhar-758001

4. Sub-Divisional Inspector (Postal)
Anandapur(O) Sub-Division,
Balapada, Dist.Keonjhar. Respondents.

For the Applicant. M/s.S.K.Nayak-1
A.K.Baral
K.Roy, R.K.Kar
& B.B.Patnaik

For the Respondents ... Mr.A.B.Misra, Sr. Standing Counsel
(Central) & Mr.T.Dalai, Addl.S.C.
(Central)

C O R A M :

THE HON'BLE MR.B.R.PATEL, VICE-CHAIRMAN
AND
THE HON'BLE MR.K.P.ACHARYA, MEMBER (JUDICIAL)

1. Whether reporters of local papers may be allowed
to see the judgement ? Yes

2. To be referred to the Reporters or not ?

3. Whether Their Lordships wish to see the fair
copy of the Judgement ? Yes

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JUDGMENT

K.P. ACHARYA, MEMBER (J) In this application under section 19 of the Administrative Tribunals Act, 1985, the applicant prays to quash order No. A-203/Ch-II dated 25.8.1988 contained in Annexure-6 and so also to quash the orders contained in Annexures 5 & 8.

2. Shortly stated, the case of the applicant is that he was working as Extra-Departmental Branch Postmaster of Ambagarria Branch Post Office within the district of Keonjhar. The applicant is said to have been working in place of one Shri Pravakar Rout as the said Pravakar Rout had been put off from duty owing to certain allegations against him. By virtue of this provisional appointment the applicant worked for some time. Thereafter the said Pravakar Rout being exonerated from the allegation, it was directed that Pravakar Rout should take over charge of Post Office and consequently the applicant had to vacate his post. Hence, this application with the aforesaid prayer.

3. There has been no counter despite the fact that we had granted time to respondents since 27.9.1988.

4. We have heard Mr. S. K. Nayak-1, learned counsel for the applicant and Mr. Tahali Dalai, learned Additional Standing Counsel (Central) at some length. We do not deem it expedient in the interest of justice to interfere with the orders passed by the competent authority in reinstating Shri Pravakar Rout and we feel that there was ample justification on the part of the competent authority to direct the applicant to vacate the office for Shri Pravakar Rout.

However, it was told to us by Mr.S.K.Nayak-l that there is a vacancy in the Mugupur Branch Post Office within the district of Keonjhar. We wish to say that the Postmaster General and the Superintendent of Post Offices, Keonjhar Division may take into consideration the case of the applicant who has long served the Department and try to adjust him either at Mugupur Branch Post Office or in any other Post Office in the vicinity. We would be very happy if the case of the applicant is considered and disposed of as soon as possible.

5. Thus, this application is accordingly disposed of leaving the parties to bear their own costs.

...Laxmi M/s.
7.3.89
Member (Judicial)

B.R.PATEL, VICE-CHAIRMAN,

9 agree.

...B.R.P.
7.3.89
Vice-Chairman

Central Administrative Tribunal,
Cuttack Bench, Cuttack.
March 7, 1989/S.Sarangi.

