

CENTRAL ADMINISTRATIVE TRIBUNAL: CUTTACK BENCH: CUTTACK.

Original Application No. 310 of 1990.

Date of decision - 15th July, 1992.

Gopal Krishna Panigrahi Applicant.

Versus,

Union of India & Ors. Respondents.

For the Applicant:-

M/s. Devananda Misra,
Deepak Misra, A. Deo,
R.N. Naik, B.S. Tripathy,
P. Panda, Advocates.

For the Respondents:-

Mr. A.K. Misra,
Senior Standing Counsel.

C O R A M.

THE HONOURABLE MR. K. P. ACHARYA, VICE-CHAIRMAN.

AND

THE HONOURABLE MR. M. Y. PRIOLKAR, MEMBER (ADMINISTRATIVE)

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1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ? M
3. Whether Their Lordships wish to see the fair copy of the Judgment ?

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JUDGMENT.

MR. K. P. ACHARYA, VICE-CHAIRMAN.

In this application Under Section 19 of the Administrative Tribunal Act, 1985 the petitioner prays for a direction to quash the order contained in Annexure-2 dtd. 10.1.90 terminating the service of the petitioner.

2. Shortly stated the case of the petitioner is that vide order dtd. 3rd. October, 1989 contained in Annexure-1, the petitioner had been appointed as E.D.B.P.M. of Ambagaon Branch Post Office. He functioned as such till his services were terminated vide Annexure-2. Hence this application with the aforesaid prayer.

3. We have heard learned counsel ^{for} of the petitioner and Mr. A. K. Misra, learned Senior Standing Counsel. From the counter we found, after appointment order was issued in favour of the petitioner the Vigilance Department had seized certain documents on the basis of which it was indicated that there was absolutely no justification in the matter of selection of the petitioner, because there were certain irregularities committed. Therefore the authority was of the view that the selection was tainted with certain extraneous considerations. In such circumstances we are of opinion that the order of termination of service of the petitioner Sri Gopal Krishna Panigrahi is justified.

4. We would direct that the process of ~~selection~~ selection for the said post should start afresh. The competent authority may call for names from the Employment Exchange and from the open market and in case the

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petitioner is one of the ^{applicants} ~~candidates~~ his case should also be considered along with others and the competent authority should adjudicate the suitability of the different incumbents and he or she, ^{whoever} ~~who~~ would be found suitable should be appointed. We hope and trust the selection process would be completed within sixty days from the date of the receipt of a copy of this judgment. Pending final selection the Overseer Mail will act as E.D.B.P.M. Ambagaon Branch Post Office. Thus the application is accordingly disposed of. No cost.

by
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MEMBER (ADMN.)

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.....15/7/92
VICE-CHAIRMAN.

Central Administrative Tribunal,
Cuttack Bench, Cuttack/ Hossain.
15.7.92

