

CENTRAL ADMINISTRATIVE TRIBUNAL,  
CUTTACK BENCH: CUTTACK.

Original Application No. 469 of 1990

Date of decision: 20th December, 1990.

Sri Narahari Sahoo, aged about 29 years,  
S/o Sri Gauranga Charan Sahoo, At/P.O. Bansh  
Via-Naugaonhat, Jagatsinghpur, Dist. Cuttack.

.... Applicant

-Versus-

1. Union of India, represented by its Secretary,  
Department of Posts, Dak Bhawan, New Delhi.
2. Chief Postmaster General, Orissa,  
At/P.O. Bhubaneswar, Dist. Puri.
3. Superintendent of Post Offices,  
Cuttack South Division,  
At/P.O./Dist. Cuttack.
4. Asst. Superintendent of Post Offices  
I/C. Jagatsinghpur Sub-Division,  
Jagatsinghpur-754103,  
Dist. Cuttack.

..... Respondents

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|---------------------|-------|---|
| For the Applicant   | ..... | Miss. S. L. Patnaik, Advocate               |
| For the Respondent. | ..... | Mr. A. K. Misra, Std. Counsel<br>(Central). |

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C O R A M :

THE HON'BLE MR. B. R. PATEL, VICE-CHAIRMAN  
AND

THE HON'BLE MR. K. P. ACHARYA, VICE-CHAIRMAN

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

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: - J U D G E M E N T : -

K.P.ACHARYA, VICE-CHAIRMAN

In this application the Petitioner prays to direct the Opposite Parties to appoint the Petitioner in pursuance <sup>to</sup> ~~of~~ letter dated 25th October, 1990 contained in Annexure-1 as Extra Departmental Delivery Agent of Nabpatana Post Office.

2. Shortly stated, the case of the Petitioner is that he had come up before this Bench by filing an application Under Section 19 of the Administrative Tribunal's Act, 1985 which formed subject matter of O.A.301 of 1989 which was disposed of 28th August, 1990. In para-4 of the judgement this Bench observed that the Petitioner should be kept in the waiting list for one year and his case should be considered for appointment as EDDA ~~of~~ any vacancy arises within that period. In compliance to that observation in the judgement, the Asst. Superintendent of Post Offices, Jagatsinghpur Sub-Division asked for the consent of the Petitioner to be appointed as EDDA, Nabapatana Post Office. The Petitioner has given his consent vide Annexure-2 and the same officer has also sent the required application to be filled up stating particulars. This has also been complied by the Petitioner as submitted by the Asst. Superintendent of Post Offices I/C Jagatsinghpur Sub-Division. The learned Standing Counsel (Central) Mr. A.K. Misra tells us that the Department will definitely respect the observation of this Bench made in O.A.301/89 and therefore it is further contended that the present application is premature.

3. After hearing Miss.S.L.Patnaik,learned Counsel for theapplicant and Mr.A.K.Misra,learned Standing Counsel (Central).We are of opinion that the Departmental Authority should consider the case of the Petitioner.

4. Thus,the application is disposed of accordingly, leaving the parties to bear their respective costs.

*Donkhal*  
20.12.90  
.....  
VICE-CHAIRMAN



*By an order*  
20.12.90  
.....  
VICE-CHAIRMAN

Central Administrative Tribunal,  
Cuttack Bench,Cuttack  
20th December,1990/Mohapatra