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CENTRAL ADMINISTRATIVE TRIBUNAL;
CUTTACK BENCH: CUTTACK

Original Application No. 498 of 1992

Date of Decision: 12. 10.1992

Jhari Sethi

Applicant

Versus

Union of India & Others

Respondents

For the applicant

M/s.Devanand Mishra
Deepak Mishra
R.N.Naik, A.Deo
B.S.Tripathy,
P.Panda, & D.K.Sahoo,
Advocates

For the respondents

Mr.Ashok Mishra,
Sr.Standing Counsel
(Central Government)

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C O R A M

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

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1. Whether the reporters of newspapers may be allowed to see the judgment ? Yes
2. To be referred to reporters or not ? No
3. Whether His Lordships wishes to see the fair copy of the judgment ? Yes

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J U D G M E N T

K.P.ACHARYA, V.C.

In this application under section 19 of the Administrative Tribunals Act, 1985, prayer of the Petitioner is to dispose of the representation contained in Annexure 3.

2. Shortly stated the case of the Petitioner is that he is functioning as an Accountant in Door Darshan Kendra at Cuttack. Vide judgment dated May 10, 1991 passed in Original Application No. 110 of 1990 contained in Annexure 1 this Bench held that the cadre of Headclerks to which the Petitioner prays for promotion is an All India Cadre. After the judgment was passed, the Petitioner has made a representation to the Director General, All India Radio, New Delhi praying to give a sympathetic to his request for promotion to the post of Administrative Officer. Copy of the representation has also been forwarded to the Director General, Door Darshan Kendra, New Delhi. The representation, though submitted in December, 1991 has not yet been disposed of. A case of similar nature had arisen before the Calcutta Bench forming subject matter of Original Application No. 699 of 1992. The Calcutta Bench vide its order dated 24th August, 1992 contained in Annexure 4 ^{disorder} passed an order to dispose of the representation within four months from the date of receipt of a copy of ~~this~~ the order. Further more the Calcutta Bench observed that pending disposal of the representation, if any promotion is made to the rank of Administrative Officer, then it would be subject to the result of the order passed on the representation.

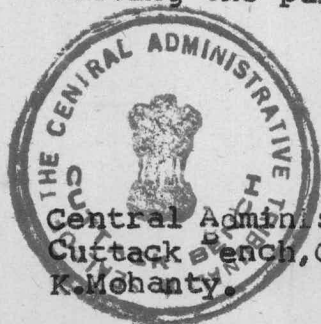
3. I respectfully agree with the view expressed by the Calcutta Bench and following the said view, I would direct that the representation filed by the Petitioner in December, 1991 before the Director General, All India Radio New Delhi and Door Darshan, New Delhi be disposed of within four months from the date of receipt of a copy of this judgment and it is further made clear that in case any promotion is given in the meanwhile, it would be subject to the order passed on the representation. Liberty is given to the Petitioner that in case he feels aggrieved by the order passed on the representation may approach this Bench if so advised.

4. I hope and trust the Director General, All India Radio and Door Darshan while disposing of the representation would take into account the observations made by the Cuttack Bench in Original Application No. 110 of 1990.

5. This order is passed after hearing Mr. Deepak Mishra learned counsel for the Petitioner and Mr. Ashok Mishra learned Senior Standing Counsel (Central).

6. Copies of the application alongwith annexures be sent to the Director General, All India Radio and Door Darshan alongwith a copy of this order.

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



K. Mohanty
12.10.92
VICE CHAIRMAN