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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH CUTTACK

Original Application No.358 of 1993

Date of Decision: 22.7.1993

Swarup Kumar Sahoo

Applicant (s)

VERSUS

Union of India & Others

Respondent (s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ?
2. Whether it be circulated to all the Benches
of the Central Administrative Tribunals or not ?


T. S. J. Sahoo
MEMBER (ADMINISTRATIVE)

22 JUL 93


V. C. Sahoo
22.7.93
VICE-CHAIRMAN

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH CUTTACK**

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Date of Decision: 22.7.1993

VERSUS

Union of India & Others Respondents

For the applicant M/s. Biswa Mohan Patnaik
R.N.Mishra
A.K.Swain
Advocates

For the respondents Mr. Akhaya Mishra
Standing Counsel
(Central Government)

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C O R A M:

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

AND

THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMN)

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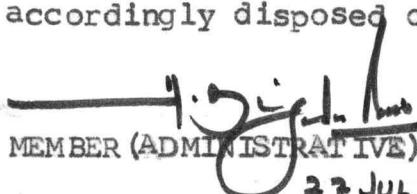
JUDGMENT

MR.K.P.ACHARYA, VICE-CHAIRMAN, This case came up for admission to-day.

With the consent given by the counsel for both sides, we have taken up this matter for hearing, because, we did not like to keep this matter unnecessarily pending which may ultimately arrest the progress of the final selection for the post of Extra Departmental Packer in Sector-II Post Office at Rourkela.

2. Shortly stated the case of the petitioner is that a notice was received by him ^{from} ~~in~~ the competent authority to terminate ~~to~~ the services of the petitioner with effect from 5.11.1991. The petitioner invoked the jurisdiction of this Bench by filing an application under Section 19 of the Administrative Tribunals Act, 1985, which formed the subject matter of Original Application No.6 of 1992. This case was disposed of on 1.5.1992. Therein the Bench directed that the petitioner should continue in the post in question till the final selection is made and such selection should be completed within 60 days from the date of receipt of a copy of the judgment. According to the petitioner, as yet the final selection has not been completed. The petitioner apprehends that his case may not be considered while adjudicating the suitability of the different incumbents. The petitioner wants a similar direction which was given which was given in O.A.No.437/92. After hearing Mr. Patnaik, learned counsel for the petitioner and Mr. Akhaya Mishra, learned Standing Counsel, it is directed that the case of the petitioner shall be considered along with other candidates while adjudicating

the suitability of different incumbents for the post in question provided that the selection process has not been completed as yet. In case the application of the petitioner is not traceable, liberty is given to the petitioner to make a fresh application within seven days from to-day, and such application should be considered by the competent authority along with the candidature of others. He/she, whosoever is found to be suitable, order of appointment be issued in his/her favour. Till the order of appointment is issued in favour of the person found to be suitable for the post in question, the services of the petitioner should not be dispensed with. Thus the application is accordingly disposed of. No cost.


MEMBER (ADMINISTRATIVE)

22 JUL 93


22.7.93
VICE-CHAIRMAN

Central Administrative Tribunal
Cuttack Bench, Cuttack
dated the 22.7.1993/ B.K.Sahoo