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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO:510 OF 1993

Date of decision: November 24, 1993

Niranjan Paika

...

Applicant

Versus

Union of India & Others

...

Respondents

(FOR INSTRUCTIONS)

1. Whether it be referred to the reporters or not? No
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not? No


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

24 NOV 93


(K.P. ACHARYA)
VICE CHAIRMAN

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CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO: 510 OF 1993

Date of decision: 24th November, 93

Niranjan Paika Applicant
Versus
Union of India & Others Respondents
For the Applicant ... M/s G.H.Panda, P.C.Panda,
G.S.Mishra, Miss.S.Panda
Advocates
For the Respondents ... Mr.Ashok Misra, Senior St.
Counsel (Central).

C O R A M :-

THE HONOURABLE MR.K.P. ACHARYA, VICE CHAIRMAN
&
THE HONOURABLE MR.H.RAJENDRA PRASAD, MEMBER (ADMN.)

J U D G M E N T

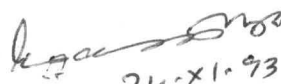
K.P.ACHARYA, V.C.

Shorn of unnecessary details, it would suffice to say that the petitioner Shri Niranjan Paika was appointed temporarily to officiate in the vacant post of Extra Departmental Delivery Agent, Guma due to suspension of the permanent incumbent, Shri Subash Mohanty, Opposite Party No.5. Shri Subash Mohanty ^{was} exonerated from the charges and vide Annexure-2, Shri Subash Mohanty has been reinstated and consequently services of the Petitioner Shri Niranjan Paika has been dispensed with. Prayer of the petitioner is to ^{quash} Annexure-2.

2. We have heard Mr.P.C.Panda learned counsel appearing for the petitioner and Mr.Ashok Misra learned ^{today} Senior Standing Counsel(Central) /as the case was set down in the list for Admission & Hearing. Counter has been filed by the Opposite Parties.Taking into consideration the pleadings of the parties,we do not find this to be a fit case to allow the prayer of the Petitioner.But at the same time we would direct the concerned authority to consider the case of the petitioner alongwith others for some other post whenever vacancy arises in future and pass orders according to law.

3. Thus,the case is accordingly disposed of.
No costs.


Member (Administrative)
24 Nov 93


24.XI.93
Vice-Chairman

Central Admn. Tribunal,
Cuttack Bench, K.Mohanty
24th November, 1993.