

① M/S. P.K. Chand
D. Satapathy
CAT/11/11

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A./T.A./R.A. No..... 834/1996

Niranjan Dash, Applicant(s)

V. Niranjan Dash, Respondent(s)

Sr. No.	Date	Order with Signature
	19.11.96	REGISTER By Registrar
1.	20.11.96.	<p>Heard Sri P.K.Chand, counsel for the applicant. In this O.A. the applicant prays for quashing the order under Annexure-4 dated 14.11.96 so far as it relates to Items Nos.4 and 5. By item No.4 one Sri Ratikanta Nayak Head Clerk was promoted to the post of O.S.Gr-II in the scale of Rs.1600-2600/- (RSP) and posted as such in the office of the AEN(North)Cuttack "against the vacancy of OS Gr.II operated by Head Clerk". In item No.5 it has been stated that the order in respect of Sri N.Das, Head Clerk under AEN (N)/CTC will follow on resumption of Sri Nayak there.</p> <p>2. An interim prayer is made not to disturb the applicant from his present place of posting till the finalisation of this Original Application. It has been clarified at the Bar that Sri Ratikanta Nayak has joined the post in which the applicant has been working. Therefore, the question of issuing a direction for his continuance in the same post will not arise.</p> <p>By 19.11.96.</p> <p>Regr (on leave) By Regr 19.11.96.</p> <p>For Admin. & O. Please</p> <p>By 19.11.96</p> <p>Bench</p>
		Contd....2.

Serial No. of Order	Date of Order	Order with Signature O.A. No. 834 of 1996
1 dt. 20.11.96.		<p style="text-align: center;">- 2 -</p> <p>3. The applicant has filed a representation (Annexure-5) before the Senior Divisional Engineer (Co-ord.), S.E.Railway, Khurda Road. The said authority is impleaded as respondent No.3. In accordance with the directions of the Supreme Court in Gujarat Electricity Board v. Atmaram Sunguweel Pashwani reported in (1989) 2 SCC 602, respondent No.3 is hereby directed to dispose of the representation of the applicant within a period of four weeks from the date of receipt of a copy of this order by a speaking and reasoned order.</p> <p>4. Learned counsel for the applicant states that the post of O.S.Gr.II is vacant at the Divisional office at Khurda Road, AEN Dhenkanal and on 30.11.96 the above post of OS Gr.II will fall vacant on superannuation of the incumbent working at Bhadrak. These vacancies may also be considered for the applicant. Although the above aspect has not been specifically mentioned in the representation, respondent No.3 shall consider the said plea while disposing of the representation. The O.A. is disposed of accordingly.</p> <p style="text-align: right;">K. Narasimha Member (Administrative).</p>