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**CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK**

**ORIGINAL APPLICATION NO. 549 OF 1998
Cuttack this the 1st day of April, 1999**

(PRONOUNCED IN THE OPEN COURT)

Barun Behera

Applicant(s)

-Versus-

Union of India & Others

Respondent(s)

(FOR INSTRUCTIONS)

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

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(G.NARASIMHAM)
MEMBER (JUDICIAL)

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN
15.4.99

CENTRAL ADMINISTRATIVE TRIBUNAL,

CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO.549 OF 1998

Cuttack this the 15th day of April, 1999

CORAM:

THE HON'BLE SHRI SOMNATH SOM, VICE-CHAIRMAN
AND
THE HON'BLE SHRI G.NARASIMHAM, MEMBER(JUDICIAL)

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Sri Barun Behera, aged 50 years,
S/o. Late Chaturbhuj Behera
Vill: Ingsa, PO: Agalpur
Dist: Bolangir

...

Applicant(s)

By the Advocates : Mr.P.K.Padhi

-Versus-

1. Union of India represented by it's
Chief Post Master General (Orissa Circle)
At/Po: Bhubaneswar, Dist: Khurda, 751001
2. Superintendent of Post Offices,
Bolangir Division,
At/Po: Bolangir
Dist: Bolangir

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Respondents

By the Advocates : Mr.J.K.Nayak,
Addl.Standing Counsel
(Central)

...

PRDER

MR. SOMNATH SOM, VICE-CHAIRMAN: In this application under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for a direction to Chief Post Master General, Orissa Circle, Bhubaneswar (Res.1) to dispose of his representations vide Annexures-2 and 3 dated 19.9.1996 and 25.9.1997, respectively.

2. The case of the applicant is that he has been promoted to H.S.G. with effect from 1.1.1997, but he wants promotion with effect from 1.10.1991, i.e. from the date his junior Shri Ghanashyam Bihari Mohapatra was promoted.

3. The respondents in their counter have stated that Shri Mohapatra was senior to the applicant in the rank of Postal Assistant, but the applicant passed the Accountant Examination first and became Accountant earlier. The respondents have also stated that according to departmental instructions, so far as Biennial Cadre Review Scheme is concerned, there is no distinction between the General Line and the Accounts Line except for the limited purpose of functional necessity. For the purpose of disposing of this Original Application, it is not necessary to go into the rival contentions of the parties in the pleadings.

4. We have heard Shri P.K.Padhi, learned counsel for the petitioner and Shri J.K.Nayak, learned Addl. Standing Counsel for the respondents and have also perused the records. Respondents in paragraphs-8 and 9 of the counter have indicated that the two representations vide Annexures 2 and 3 have been sent to Chief Post Master General, Orissa Circle, Bhubaneswar, which are

pending consideration. In view of the above averment made in the counter by the respondents, we dispose of this Original Application by issuing a direction to Chief Post Master General, Orissa Circle, Bhubaneswar (Res.1) to dispose of these above two representations of the applicant, if not already disposed of, within a period of 60 days from the date of receipt of this order and intimate the decision thereon to the applicant within 15 days thereafter. We make it clear that we express no opinion on the merits of the claim made by the applicant in his representations referred to above or on the merit of the claim with regard to his seniority. Respondent No.1 will be free to dispose of these representations strictly in accordance with rules within the period indicated above.

The Original Application is disposed of in terms of orders passed above, but without any order as to costs.

(G.NARASIMHAM)
MEMBER (JUDICIAL)

B.K.SAHOO

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN
15.4.99