



FORM No. - 4 )

See Rule (12)

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

## ORDER SHEET

Original

Application No. ....

493

of 200 3

Applicant(s) Durga Prasad Acharya Respondent(s) Union of India & Ors.

Advocate for Applicant(s) M. J. M. Pattnaik Advocate for Respondent(s) ....

S. Misra, P. K. Roy  
A. P. Misra, M. R. Mallik  
D. P. Mohanty

### NOTES OF THE REGISTRY

2. P.O. for Rs. 50/- filed.

for Registration of.

AB  
26.8.03

DR

Defect removed  
for Registration.

AB  
26/8/03 mentioned to be  
taken up afflunch  
on 2.9.03. S. O. (J)

DR.

Registrar

DR 26/8/03 DR 02.09.03

### ORDERS OF THE TRIBUNAL

#### REGISTER

DR 26/8/03  
Regd

1. ORDER DATED 02-09-2003.

on being mentioned this case is  
taken up.

On consideration of the case of  
the Applicant for promotion, is his grievance  
in this original Application filed under  
section 19 of the Administrative Tribunals  
Act, 1995.

It is the case of the Applicant  
that while considering the case of others

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

(his juniors), his case did not receive due consideration; for which he has filed a representation under Annexure-5 dated 29.07.2003. Mr. J. M. Patnaik, Learned Counsel for the Applicant submitted that in view of the Personnel Department Memorandum dated 19.07.1989 (at page -17 of the O.A. marked as Annexure-3) the Applicant is entitled to receive due consideration for promotion. In the said premises, the Applicant, has virtually prayed for a review DPC to get promotion as <sup>Senior</sup> Tax Assistant with effect from 29.04.2002.

In the aforesaid premises, having heard Mr. Patnaik, learned Counsel appearing for the Applicant and Mr. A. K. Bose, Learned Senior Standing Counsel appearing for the Department, this O.A. is disposed of at the admission stage, with direction to the Respondents to give due consideration to the grievance of the Applicant (as raised in his representation under Annexure-5 dated 29.07.2003 and in this O.A) by keeping in mind the Office Memorandum of the Personnel Department (under Annexure-3 dated 19.7.1989 at page-17 of the O.A) and, if required, by holding a review DPC at an early date, preferably within a period of 120 days from the date of receipt of a copy of this order.

Send copies of this order to the Respondents, alongwith copies of this O.A, and free copies of this order be also given to Mr. J. M. Patnaik, Learned Counsel appearing for the Applicant and to Mr. A. K. Bose, learned SSC

(appearing for the Respondents/Department); on whom  
a copy of this original Application had already been  
served.

Yashpal  
02/09/2003  
MEMBER(JUDICIAL)

Dr. Dr. 2.9.03

copies in order/  
copies of OA sent  
to all resps.  
in copies in said  
order prepared  
for counsels to  
look.

Ram  
11/9  
80.