



FORM No. - 4

See Rule (12)

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**

CUTTACK BENCH

**ORDER SHEET**

Original Application No. 1068 of 2003  
Applicant(s) Akshaya Kumar Parida Respondent(s) Union of India & Or.  
Advocate for Applicant(s) In Person Advocate for Respondent(s)

**NOTES OF THE REGISTRY**

G.P.O. for Rs. 50/- + M.  
for Registration Pl.

20/11/03

S.O. (J)

21.11.03

Shankh

21.11.03

Regist. for

21.11.03

For Admn Please  
Bench

**ORDERS OF THE TRIBUNAL**

REGISTER

21.11.03

Registrar

Order dated 24.11.2003

Heard Shri A.K. Parida, applicant, appearing in person. The grievance of the applicant is that he has been not been confirmed in his basic post of Auditor in the Office of the Accountant General, Orissa, to which post he was appointed with effect from 19.3.1980 on release from the Office of Station Director, All India Radio, Cuttack, although by virtue of the Respondents Office Order No. 12 dated 1.5.1989, a list of 225 officials

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CA 1068/03

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Dr. Dr. 24.11.03

copy of order  
alongwith copy of  
OA sent to all  
reports and copy  
of said order are  
prepared for the  
petr, who has appeared  
in person and for  
Mr. A. K. Bose, Sr. S.C.

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28/11/03  
S.C. (S)

<sup>have been confirmed</sup>  
(Auditors) published, which included the names of persons, who were junior to him. After that he has been representing the matter before the appointing authority, but to no effect. He had also brought the matter before the Tribunal in O.A. 659/99, which he however did not press on account of his, as he submits, serious illness during the year 1999 and that O.A. was disposed of by the Tribunal vide its order dated 13.7.1999 as not pressed. Thereafter he again represented his case before the appointing authority, i.e., Senior Deputy Accountant General (Admn) (Res. No.3) vide his letter dated 20.1.2003 at Annexure-A/2. His grievance is that the Respondents have not yet informed him the reason for not issuing the order confirming him in the post of Auditor although such an inaction on the part of the authorities has denied him some of the important service benefits, like, grant of advance/loan etc.

Prima facie the grievance of the applicant appears to be a genuine one. The applicant was appointed in the year 1980 (March/1980) and the reason which stood in the way for not confirming him for the last 20 years needs to be explained, specially in view of the fact that in the meantime he has been granted promotion from the grade of Auditor to Senior Auditor.

In the said premises, we direct Respondent Nos. 1 and 3 to dispose of the representation dated 20.1.2003 filed by the applicant through a reasoned and speaking order. They are also directed to examine as to why the applicant could not be considered for confirmation as soon as the currency of the penalty imposed on him ~~ended~~ in the disciplinary proceedings ended in the year 1990.990.

This exercise shall be completed within a period of two months from the date

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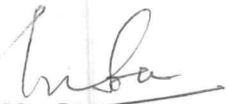


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date of receipt of copies of this order.

This order has been passed after hearing Shri A.K. Bose, learned Senior Standing Counsel (on whom a copy of this O.A. has been served) appearing for the Respondents.

With this, the O.A. is disposed of at the admission stage. No costs.

Send copies of this order along with copies of the O.A. to Respondents and free copies of this order be handed over to the parties.

  
VICE-CHAIRMAN

 27/11/03  
MEMBER (JUDICIAL)