



**FORM No. - 4**

See Rule (12)

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**CUTTACK BENCH**

## ORDER SHEET

Original Application No. 1068

Applicant(s)..... Akshaya Kumar Parida..... Respondent(s)..... Union of India & Ors.  
Advocate for Applicant(s)..... In Person..... Advocate for Respondent(s).....

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
<p>9. P.O. for Rs. 50/- H.M.</p> <p>For Registration Pl.</p> <p>21/11/03</p> <p>S.O. (J) Dab 21.11.03</p> <p>DR</p> <p>Registar 21.11.03</p> <p>For Admin Please DR Bench 21.11.03</p>	<p>REGISTERED - 21.11.03</p> <p><u>Order dated 24.11.2003</u></p> <p>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 released 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</p>

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Dr. St. 24.11.03

copies of order  
alongwith copies of  
OA sent to all  
resps. and copies  
of said order are  
prepared for the  
ptm. who has appd  
in person and by  
Mr. A.K. Bose, Sr. SE.

28/11/03  
S. (5)

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OA 1068/03

have been confirmed (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 is over in the disciplinary proceedings ended in the year 1990/90.

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

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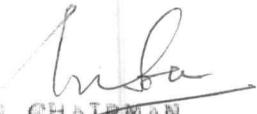
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date of receipt of copies of this order.

This order has been passed after hearing Shri A.K. Rose, 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

Sharad B. Deo 27/11/63  
MEMBER (JUDICIAL)