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O.A.NO.250 OF 2005.

ORDER DATED 06-06-2005.

On being mentioned by Mr. B. Pujari, Learned Counsel appearing for the Applicant (in presence of Mr. B. Mohapatra, Learned Additional Standing Counsel, on whom a copy of this Original Application has already been served), this matter is taken up today.

MEMBER(JUDICIAL)

2. ORDER DATED: 06-06-2005.

Heard. Raising grievances pertaining to his seniority, the Applicant filed O.A. No. 479 of 1998, which was disposed of on 13.10.2003. In the counter filed to the said O.A. No. 479 of 1998, Respondent Department virtually conceded that inadvertently the Applicant was superseded. After disposal of the said O.A. No. 479 of 1998, the Applicant preferred a representation to the Respondent Department for redressal of his grievances; which was rejected under Annexure-19 dated 05-10-2004. The

text of the said rejection order, under Annexure-19, dated 05-10-2004 is extracted below:-

“L.B.SECTION.

No.2032/Seniority/LB
DATE: 05-10-2004.

SUB: Your request for granting notional seniority.
REF: Your application dated 06-07-2004.

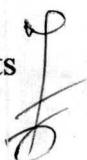
Your above referred application is examined in light of relevant rules and orders and it is observed that your representation is devoid of merit and hence is not acceded to by competent authority.

This has the approval of the General Manager.

DGM/Admn.

To
Shri S.K.Khamari, Through: DVO/MS.”
Fitter/AC,MS/15/6158.

Since the rejection order is a cryptic one and bereft of any reason, the same is not sustainable in the touch stone of judicial scrutiny. Therefore, the same is hereby quashed requiring the Respondents to reconsider the grievances of the Applicant and to pass a reasoned order. While doing this, liberty is hereby granted to the Applicant to file a consolidated representation to the Respondents/Competent Authorities by the end of June, 2005. On receipt of such a representation, the Respondents/Competent Authorities should give due consideration to the same and grant necessary reliefs to the Applicant, as due and admissible, under the Rules, by 30th September, 2005. While doing so, the Respondents



should keep in mind the admission given out in the counter filed by them in the earlier O.A. No. 479 of 1998.

With the aforesaid observations and directions, this Original Application is disposed of at the admission stage.

Send copies of this order to the Respondents, along with copies of the O.A. and free copies of this order be given to learned counsel for both sides.

Abul
06/06/05
MEMBER(JUDICIAL)