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O.A.No. 381 of 2008

Parikshit Mondal .... Applicants  
Versus  
Union of India & Others. .... Respondents.

Order dated: 31-03-2011.

CORAM:

THE HON'BLE MR.C.R.MOHAPATRA, MEMBER (A)  
A N D  
THE HON'BLE MR.A.K.PATNAIK, MEMBER (J)

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This Original Application has been filed by the Applicant alleging that Psychologist Group B is the feeder grade of Assistant Director (Rehabilitation) and the post of Assistant Director (Rehabilitation) is meant to be filled up, as per the Rules, on the principles of seniority cum merit. Though he is senior in the feeder grade than Respondent No.6, the Respondent-Department unjustly considered and promoted Respondent No.6 to the post of Assistant Director (Rehabilitation). Further case of the Applicant is that as by this process there was great injustice caused to him in the decision making process, he prayed for removal of such injustice by filing appeal to the Respondent No.2 under Annexure-A/4 dated 2<sup>nd</sup> April, 2008. But there was no response. Hence he pays for a direction to the Respondents to promote him to the post of Assistant Director (Rehabilitation) from the date Respondent

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No.6 was given such promotion. Counter by the Respondents and rejoinder by the Applicant have been filed. This matter was listed today for considering the matter on merit. However, it was submitted, at the out set, by Learned Counsel for the Applicant that she will be satisfied if direction is issued to the Respondents to consider and dispose of the representation which was filed by the Applicant in Annexure-A/4 dated 2<sup>nd</sup> April, 2008 and is still pending with the authority. There was no discernible resistance shown by the Learned ASC appearing for the Respondents to the aforesaid submission of the Learned Counsel for the Applicant.

In view of the above, without going to the merit of the matter, this OA is disposed of with direction to the Respondents to consider and dispose of the said representation as in Annexure-A/4, stated to be still pending with them and communicate the decisions, in a well reasoned order, to the Applicant within a period of 60(sixty) days from the date of receipt of copy of this order. No costs.

  
(A.K.PATNAIK)  
Member (Judicial)

  
(C.R.MOHAPATRA)  
Member (Admn.)