

3

O.A. No. 419 of 2008

Order dated: 20.11.2008

CORAM:

Hon'ble Mr. A. K. Gaur, Member(J)

Hon'ble Mr. C.R.Mohapatra, Member (A)

We have heard Mr. R.N.Behera, Ld. Counsel for the applicant and Mr. D.K.Behera, Ld. Addl. Standing Counsel for the Respondents.

2. The applicant while working as Music Composer in All India Radio in the year 1976 was posted at AIR, Sambalpur. In the year 1986, he was transferred to AIR, Jeypore. While continuing as such at Jeypore, due to illness he submitted an application for leave w.e.f. 23.11.1994 and came to Cuttack for treatment. He remained absent w.e.f. 23.11.1994 to 25.09.2001 and has been sending representations supported by medical certificate and annexures. When no heed was paid, he filed O.A.No. 388/2000 before this Tribunal. In pursuance of the direction given by this Tribunal, the competent authority disposed of the representation and replied that the case of the applicant for regularization will be considered only on receipt of vigilance clearance. The applicant again submitted representation, Annexure-A/9. Ld. Counsel for the applicant vehemently contended that the applicant is at the verge of retirement and in case ~~his~~ ^{his} case is not considered now, he will suffer irreparable injury.

3. Having heard Ld. Counsel for both the parties, we are satisfied that the grievance of the applicant might be redressed if direction is given to the competent authority to

4
consider and decide the representation at Annexure-A/9 dated 07.05.2008 by reasoned and speaking order taking into account the averments contained in the representation within a period of two months from the date of receipt of a copy of this order. Ordered accordingly.

4. With the aforesaid observation, the O.A. is disposed of.

5. In view of disposal of the O.A., M.A.666/08 is also disposed of.

Chapak
MEMBER (A)

Anil Gaur
MEMBER (J)