

3

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH:CUTTACK

**ORIGINAL APPLICATION NO.452 OF 2010**

Cuttack this the 23rd day of August, 2010

CORAM:

THE HON'BLE SHRI C.R.MOHAPATRA, ADMINISTRATIVE MEMBER  
Abhiram Dash Applicant  
-VERSUS-  
Union of India & Ors. ...Respondents

**ORDER**

Heard Shri A.K.Mishra, learned Senior Counsel for the applicant, Shri S.B.Jena, learned Addl.Standing Counsel for the Union of India & Shri A.K.Bose, learned Government Advocate for the State of Orissa on whom copies of the O.A. have already been served.

The grievance of the applicant is that he has got promoted to the Indian Forest Service cadre in Orissa on 26.2.2000. Some of the State Forest Service Officers, who were promoted to the Indian Forest Service much after him have already been promoted to the Selection Grade vide Annexure-A/10 on 15.4.2009. Immediately thereafter, the applicant has addressed a representation to the Chief Secretary of Orissa on 10.8.2009 followed by another representation to the Commissioner-cum-Secretary to Government of Orissa, Forest & Environment Department on 22.8.2009 and further to the Principal Secretary, Forest & Environment, Government of Orissa on 20.7.2010, which has since been forwarded by the Chief Conservator of Forests to the Principal Secretary to Government of Orissa, Forest & Environment Department on 28.7.2010 at Annexure-A/14. No response having been received from the concerned authorities the applicant has approached this Tribunal with the following prayer.

“...to direct the Respondents No.1, 2 & 3 to consider the case for promotion retrospectively with effect from 15.4.2009 when



the Respondent No. 4, 5 & 6 were promoted to IFS Selection grade and further to direct the respondents to pay all arrears and service benefits retrospectively with interest @ 18% per annum and for this act of kindness the applicant is duty bound shall ever pray".

The contention of the applicant is that since he is not involved either in any vigilance case or disciplinary proceedings, his exclusion from the list of promotees to the Selection Grade of I.F.S. in Orissa cadre is not justified. Since no decision has been taken so far on his representations forwarded to Respondent No.3, at this stage, it would be, in the fitness of things, if a direction is issued to Respondent No.3 as well as Respondent No.2, G.A. Department to consider the pending representations after taking into account all the points raised therein and in the present O.A. and pass a speaking order within a specific time frame.

Accordingly, without expressing any opinion on the merit of the case and as agreed to by the learned counsel for the parties, Respondent Nos. 2 and 3 are hereby directed to consider the representations of the applicant as aforesaid and issue a reasoned order within a period of two months from the date of receipt of copies of this order.

With the above observation and direction, this O.A. is disposed of at the stage of admission. No costs.

Send copies of this order along with copies of the O.A. to Respondent Nos. 2 and 3 for compliance and free copies of the order be made over to the learned counsel for the parties.

  
ADMINISTRATIVE MEMBER