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ORDER DATED 10th NOVEMBER, 2010

Magdelena Nayak..Applicant

Vrs.

Union of India & Others ....Respondents

Coram:

HON'BLE MR. C.R. MOHAPATRA, MEMBER(A)

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Heard Sri J.K. Digal, Ld. Counsel appearing for the applicant and Sri S.B. Jena, Ld. Counsel appearing on notice for BSNL on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. Sri Jena, Ld. Counsel appearing on notice for BSNL submits that he has not so far obtained instruction from the concerned authorities.

3. Sri Digal, Ld. Counsel appearing for the applicant submits that the applicant has not taken up the issue raised in the present O.A. before the concerned authorities. Hence, without exhausting the remedy available before the concerned authorities the applicant has approached this Tribunal. He requests to file proper representation before the concerned authorities i.e., Respondent No.2 giving the details of his grievance for redressal of the concerned authorities. In view of this, he seeks to withdraw this O.A. so as to file a proper representation within 15 days and representation if so made he seeks direction from this Tribunal to Respondent No.2 to decide the representation with a reasoned order.

4. Accordingly, as agreed to by the Ld. Counsel for the parties without going into the merit of the case Respondent No.2 is hereby directed to consider the representation of the applicant if
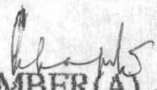
made within a period of 15 days hence and pass a reasoned order within a period of 30 (thirty) days from the date of receipt of the representation.

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

6. Send copy of this order to the Respondent No.2 (together with the copy of this O.A) by Registered Post at the cost of the Applicant. Sri Digal, Ld. Counsel appearing for the applicant undertakes to deposit the required postages by tomorrow.

7. Copy of this order be also sent to the Ld. Counsel appearing for the parties.

MEMBER(A)

K.B/C.M.