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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O.A No. 788 of 2010  
Cuttack, this the 10<sup>th</sup> day of December, 2010

CORAM:

THE HON'BLE MR. M.R.MOHANTY, VICE-CHAIRMAN(J)

.....

Shri Nirakar Swain, aged about 41 years, Son of Shri Rama Chandra Swain, a permanent resident of Village and Post-Ostapur, PS-Kendrapara, Dist. Kendrapara/ORISSA.

.....Applicant

By Legal practitioner:Mr.Dillip Kumar Mohanty, Counsel. .

-Versus-

1. Union of India represented through its Director General of Posts, Government of India, Ministry of Communications, Department of Posts, Dak Bhawan, New Delhi-110 001.
2. The Chief Postmaster General Orissa Circle, At/Po. Bhubaneswar, Dist. Khurda.
3. The Superintendent of Post Offices, Cuttack North Division, Cuttack-753 001.

....Respondents

By the Advocate(s)... Mr. S.Mishra, ASC

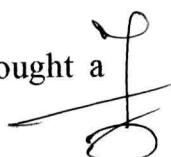
O R D E R

MR. M.R.MOHANTY, VICE-CHAIRMAN (J) :

Heard Mr. Dillip Kumar Mohanty, Learned Counsel

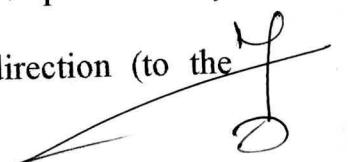
for the Applicant and Mr. S.Mishra, Learned Additional Standing Counsel for the Respondents (to whom a copy of this OA has already been supplied) and perused the materials placed on record.

2. Applicant, who claims to be a Matriculate, also claims that he had 310 days of experience in Post Office work as a Substitute between 1995 and 2005. On 26.06.2006, he sought a



regular employment in Postal/GDS Organization and also approached this Tribunal with OA No. 786/2006; which was disposed of on 22.11.2006, with direction to the Respondents to dispose of his representation. His representation was rejected on 18.01.2007. He again, approached this Tribunal with OA No. 51 of 2007, on 09.02.2007. The same was disposed of, on 04.03.2008, with directions to the Respondents to consider the grievances (of the Applicant) in terms of DG (Posts) instructions given in Circular dated 17.05.1989 etc. On 13.03.2008, the Applicant was intimated that his case shall receive consideration of the regular recruitment stage. Applicant, who made another representation on 02.12.2009 (pointing out about existence of vacancies in Ostapur Sub Post Office and Ayeba Sub Post Office), has, again, approached this Tribunal (without getting any response from the authorities), with the present Original Application filed (on 08.12.2010) U/s.19 of the Administrative Tribunals Act, 1985 with the following prayers:

:a. To direct the Respondents to consider the case of the Applicant for regular engagement either in the post of GDS SPM of Ostaspur Sub Post Office or Ayeba GDS SO or against any GDS vacancies lying vacant under the Respondent No.3.”

3. Since it is the positive case of the Applicant that his representation is still pending with the Respondents undisposed, without any west of time, this case is hereby disposed of by remitting the matter to the Respondents with direction (to the 

Respondents) to sympathetically consider the grievances of the Applicant and pass a reasoned order, within 45 days of receipt of copies of this order, under intimation to the Applicant.

4. Send copies of this order (together with the copies of this OA) to the Respondents by Regd. Post at the cost of the Applicant for which Learned Counsel for the Applicant undertakes to furnish the postal requisite by 13.12.2010.

5. Free copies of this order be also supplied to the Learned Counsel for both sides.

  
(M.R.MOHANTY)  
VICE-CHAIRMAN(J)