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O.A. No. 12/2011

ORDER DATED 14th JANUARY, 2011

Arakhit Nag & another Applicant

Vrs.

Union of India & Others Respondents

Coram:

HON'BLE MR. C.R. MOHAPATRA, ADMINISTRATIVE MEMBER

&

HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER

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Heard Sri R.C. Praharaj, Ld. Counsel appearing for the applicant and Sri S.K. Ojha, Ld. Standing Counsel appearing on notice for the Respondents on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. Sri Praharaj, Ld. Counsel appearing for the applicant submits that though he has filed M.A.30/2011 for joint prosecution of this case since the prayer involves offer of appointment to a land displaced person because of acquisition of land for Railway project he would confine the present O.A. so far as applicant No.1 is concerned. He also submits that his representation at Annexure-A/4 is pending with Respondent No.2 and this representation is based on the latest decision of the Hon'ble High Court of Orissa vide its judgement dated 21.06.2010.

So keeping in view the above judgement Respondent No.2 may consider the pending representation of the applicant and pass a reasoned order regarding the status of the applicant as well as the entitlement of the applicant to get appointment as claimed by him as the grand son of the land outstee with intimation to the applicant.

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3. Having regard to the submissions made and 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 and dispose of the pending representation vide Annexure-A/4, and pass a reasoned order regarding the status of the applicant as well as the entitlement of the applicant to get appointment as claimed by him as the grand son of the land outstee and communicate its decision to the applicant.

4. The applicant shall have to file an affidavit before the authorities i.e., Respondent No.2 that no other family member of the grand father has got a job because of acquisition of land for Railway project during 1988-89. He shall also file other documents required for this purpose. Such exercise will be completed within three months from the date of filing of the affidavit & other documents required by the concerned authority.

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

6. Send a copy of this order along with copy of the O.A. to Respondent No.2 for compliance and free copies of this order be made over to the Ld. Counsel for the parties.

7. Sri Praharaj, Ld. Counsel appearing for the applicant undertakes to deposit the postal requisites by tomorrow.


JUDL. MEMBER


ADMN. MEMBER