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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

OA No. 162 of 2011

Trilochan SahuApplicant

-Versus-

Union of India & Ors. Respondents

ORDER DATED – 26th April, 2012.

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

And

THE HON'BLE MR.A.K.PATNAIK, MEMBER (JUDL.)

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It was fairly submitted by the Learned Counsel for the Applicant that this case being similar to OA No 161 of 2011 (Chandramani Jena Vrs Union of India and India and others) disposed of on 24th April, 2011 needs to be disposed of ⁱⁿ the light of the decisions taken thereon. Relevant portion of the order in OA No. 161 of 2011 is extracted herein below:

“Now by producing copy of the order dated 23rd December, 2009 of the Ministry of Communications & IT, New Delhi it was brought to our notice by Learned Counsel for the Applicant that in similar circumstances ex post facto approval to the regularization of adhoc promotion in respect of Shri S.K.Bej, Dy. Supdt. (Retd.), Kolkata RMS Division in ASRM cadre for the period from 31.12.1992 to 28.9.1995 having been conveyed, there is no reason to sit over the proposal for approval of the adhoc period in so far as the applicant is concerned. This letter dated 23rd December, 2009 was not disputed by the Learned ASC appearing for the Respondents. Since according to both the parties the proposal for regularization of the adhoc period of the applicant was sent by the local head office is pending with the Respondent Nos.1&5 and applicant meanwhile has retired from service and that ex post approval in the case of Mr. Bej has already been conveyed, unless similar approval is conveyed to the case of the applicant gross discrimination would be caused to the applicant. Hence, this OA is disposed of with direction to the Respondent Nos.1&5 to communicate their approval on the analogy of Shri Bej's case cited above at an early date at any rate within a period of sixty days from the date of receipt of copy of this order. No costs.



11

In view of the above, having heard Learned Counsel for both sides this OA is disposed of with direction to the Respondent Nos.1&5 to communicate their ex post facto approval to the regularization of adhoc promotion of the applicant on the analogy of the case of Shri S.K.Bej, Dy. Supdt. (Retd.), Kolkata RMS Division in ASRM, cited above at an early date, at any rate within a period of sixty days from the date of receipt of copy of this order. No costs.


Member (Judicial)


Member (Admn.)