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O.A. No.430/2011

ORDER DATED 7th JULY, 2011

D. Mallick.....Applicant

Vrs.

Union of India & OthersRespondents

Coram:

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

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Heard Sri P.K. Padhi, Ld. Counsel appearing for the applicant and Sri S.B. Jena, Ld. Addl. 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. This Original Application has been filed by the applicant with the following prayer:-

“(i) To direct the Respondents to consider the case of the applicant for allowing the applicant to discharge his duty of Welfare Administrator of Rourkela, by working at Bhubaneswar, with all consequential benefits.”

3. The facts of the case, as revealed from the O.A. are that the applicant joined as L.D.C. on 23.07.1977 in Labour Welfare Organisation. In due course of time the applicant was promoted to the cadre of Assistant Welfare Administrator on 23.07.1999 and transferred to Raipur on 17.08.99. Further, the applicant was promoted to the cadre of Welfare Administrator and posted in the Central Hospital, Dhuliyan, West Bengal vide order dated 06.07.2010, which having been modified the applicant was posted at Rourkela under LWO Bhubaneswar Region on 22.07.2010. According to him, he is a chronic patient of Diabetic and as his wife has expired, he is depending upon his children. His daughter is at the

marriageable age and negotiation of her marriage is going on. In the above background, the applicant preferred representation dt.22.03.11 (Annexure-A/4) to Respondent No.1 with the following prayer:

“ Sir, if you are not in a position to acceded to my request, I may kindly be allowed at least three months time to join at Rourkela. During the above period I will operate of my eyes and also settle the marriage of my daughter.”

The said representation having not been responded, the applicant has moved this Tribunal in the present Original Application with prayer as referred to above.

4. I have heard the Ld. Counsel for the parties on the question of admission. During the course of hearing on admission, Ld. Counsel for the applicant submitted that, a direction may be issued to Respondent No. 1 to consider and dispose of the pending representation (Annexure-A/4) through a speaking order within a specified time.

5. 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.1 is directed to consider and dispose of the pending representation vide Annexure-A/4 as per law within a period of sixty days from the date of receipt of copy of this order.

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

7. Send a copy of this order along with copy of the O.A. to Respondent No.1 for compliance and free copies of this order be made over to the Ld. Counsel for the parties.


ADMN. MEMBER