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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No.260/002 of 2015
Cuttack, this the 08th day of January, 2015

CORAM

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

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

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Balamukunda Mohapatra,
aged about 54 years,
S/o. Bipin Bihari Mohapatra,
At/PO- Delang, Dist-Puri, 752015, Odisha,
At present working as Office Superintendent,
Office of Sr. D.E.E./T.R.D./Khurda,
D.M.R. Complex, At/PO- Jatni, Pin-752050,
On transfer S.DE Coordinator, Khurda Road, Odisha.

...Applicant

(Advocates: M/s. K.C.Kanungo, C. Padhi)

VERSUS

Union of India Represented through

1. General Manager,
East Coast Railway, Samant Vihar,
At/PO/PS- Chandrasekharapur,
Bhubaneswar-751023, Dist-Khurda, Odisha.
2. Divisional Railway Manager,
East Coast Railway (DRM Complex),
At/PO- Jatni, Dist-Khurda, Pin-752050, Odisha.
3. Additional Divisional Railway Manager,
East Coast Railway (DRM Complex),
At/PO- Jatni, Dist-Khurda, Pin-752050, Odisha.
4. Senior Divisional Electrical Engineer (TRD),
East Coast Railway, Khurda Road, (DRM Complex),
At/PO- Jatni, Dist-Khurda, Pin-752050, Odisha.
5. Senior Divisional Engineer (Co.),
East Coast Railway, Khurda Road, (DRM Complex),
At/PO- Jatni, Dist-Khurda, Pin-752050, Odisha.

...Respondents

(Advocate: Mr. T.Rath)

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ORDER (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. K.C.Kanungo, Learned Counsel for the Applicant, and Mr. T. Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. The applicant, who is at present working as Office Superintendent, O/o Sr. DEE/TRD/Khurda, on transfer S.D.E. Coordinator, Khurda Road, has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985, with the following relief:

“....to quash Annexure-A/10 to the extent the applicant is concerned for the ends of justice.

And

....to hold that the permanent absorption of the applicant in the Electrical (TRD) branch on permanent basis under Respondent No.4 is final for all purposes for the ends of justice.

And

....to issue any other/further order.....”

Mr. Kanungo by drawing our attention to the representation preferred by the applicant vide Annexure-A/11 dated 24.12.2014 addressed to Respondent No.2 submitted that though the representation was preferred on 24.12.2014 till date no response has been received from the said Respondent No.2. Accordingly, he has prayed that a direction may be issued to Respondent No.2 to consider the said representation within a specific time frame.

3. Mr. T. Rath, Ld. Standing Counsel appearing for the Respondent-Railways, submits that he has no immediate instruction if any such representation




has been filed by the applicant and, if so, the status thereof.

4. As stated by Ld. Counsel for the applicant that the representation dated 24.12.2014 of the applicant is pending with Respondent No. 2, without entering into the merit of the matter, we dispose of this OA, at this admission stage with a direction to the Respondent No. 2 to consider and dispose of representation of the Applicant dated 24.12.2014 as at Annexure-A/11 by a reasoned and speaking order and communicate the same to the applicant within a period of 60 days from the date of receipt of copy of this order. We make it clear that till the decision on the representation is taken by the Respondent No.2 and communicated to the applicant, status quo as of date so far as continuance of the applicant is concerned will be maintained. If, in the meantime, the representation has already been disposed of then the result thereof be communicated to the applicant within a period of 15 days from the date of receipt of a copy of this order. No costs.

5. On the prayer made by Mr. Kanungo, Ld. Counsel for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 2, 4 and 5 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 12.01.2015.

6. Copy of this order be also made over to the Ld. Counsel appearing for both the sides.


(R.C.MISRA)
MEMBER(Admn.)


(A.K.PATNAIK)
MEMBER(Judl.)