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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.726 of 2016
Cuttack this the 21st day of October, 2016

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

V.P.Mohod, aged about 45 years, S/o.Sri Pralad Rao Mohod, presently working as Senior Horticulture Assistant, O/o. the Deputy Superintending Horticulture, Survey of India, Horticulture Archaeological Division, No.IV, Bhubaneswar-7

...Applicant

By the Advocate(s)-Mr.D.K.Mohanty

-VERSUS-

Union of India represented through:

1. The Secretary, Ministry of Culture, Shastri Bhawan, New Delhi
2. The Director General, Govt. of India, Archaeological Survey of India, Najpath, New Delhi-110 011
3. The Chief Horticulturist, Archaeological Survey of India, Janpath, New Delhi-110 011
4. The Dy.Superintending Horticulture, Archaeological Survey of India, Horticulture Division No.4, Purattava Nivas, Tosalia Plaza Apartment, Satyanagar, Bhubaneswar-751 007
5. Sri P.K.Chaudury, Asst.Superintending Horticulturist, O/o. the Dy. Superintending Horticulture, Archaeological Survey of India, Horticulture Divisional No.4, Purattava Nivas, Tosali Plaza Apartment, Satyanagar,Bhubaneswar-751 007
6. Sri Prasenjit Ghosh, Asst.Superintending Horticulturist, O/o. the Dy.Superintending Horticulture, Archaeological Survey of India, Horticulture Divisional No.II, Safdurjung Tomb, New Delhi-110 003

...Respondents

By the Advocate(s)- Mr.A.K.Mohapatra

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ORDER(Oral)

A.K.PATNAIK, MEMBER(I):

Heard Mr.D.K.Mohanty, learned counsel for the applicant and Mr.A.K.Mohapatra, learned ACGSC appearing for the Respondents on the question of admission and perused the records.

2. This O.A. has been filed by the applicant challenging the inaction of the respondents in promoting him to the post of Assistant Superintending Horticulturist from Sr. Horticulture Assistant.

3. Ventilating his grievance, applicant has filed representations dated 13.01.2016 and dated 01.09.2016 to the Director General (Res.no.2) and since he has not yet received any response, the instant O.A. has been filed by him for direction to be issued to respondents to promote him to the post of Assistant Superintending Horticulturist as per roster point reservation of SC category at Sr. No.15 retrospectively.

4. Since the representations of the applicant are pending consideration by Res.no.2, at this stage, I do not feel it proper to keep this matter pending, thereby directing the respondents to file their counter. Without expressing any opinion on the merit of the matter, I would direct both Respondent No. 2 to consider the representations of the applicant as aforementioned as per the extant rules and instructions on the subject and communicate the decision thereon to the applicant in reasoned and speaking order within a period of two months from the

Order

date of receipt of this order. Although I have not expressed any opinion on merit, but, I hope Respondent No. 2 while considering the grievance of the applicant shall take into account all the points raised by him therein. However, if in the meantime, the said representation has been considered, decision thereon be communicated to the applicant within a period of four weeks hence.

5. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.
6. On the prayer made by the learned counsel, copy of this order along with paper book of O.A. be sent to res.no.2 at the cost of the applicant for which Mr.D.K.Mohanty undertakes to file the postal requisites by 24.10.2016.
7. Free copy of this order be made over to learned counsel for both the sides.


(A.K.PATNAIK)
MEMBER(J)

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