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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00729 of 2016
Cuttack, this the 28th day of October, 2016

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

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Kamal Majhi, aged about 53 years, S/o Late Sakti Majhi, At present working as Master Crafts Man in the Department of Ordinance Factory, Badmal in the P.O.:Saintala, Dist: Bolangir.

...Applicant

(Advocates: M/s. B.Dash, S.Sethi, M.Behera, R. Singh)

VERSUS

Union of India represented through the

1. Ministry of Defence represented through its Secretary,
North Block Central Secretariat,
New Delhi-11001.
2. Director General,
Indian Ordinance Factories,
Ordinance Factory, S.K.Bosh Road, Kolkata.
3. General Manager,
Indian Ordinance Factories,
Ordinance Factory, Bolangir(P),
At Badmal, PO- Gandapatrapalli,
Via-Saintala, Dist- Bolangir-767032, Odisha.

... Respondents

(Advocate: Mr. B.P. Nayak)

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ORDER (ORAL)

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

Heard Ms. Bharati Dash, Ld. Counsel for the Applicant, and Mr.B.P. Nayak, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

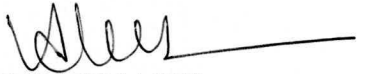
Patnaik

2. Applicant is presently working as Master Crafts Man under the Respondent-Organization. His grievance is directed against order dated 31.08.2016(A/3) by virtue of which applicant has been notified that he having attained the age of fifty on the 9th June, 2012, shall retire from service on the forenoon of 30.11.2016 or on the forenoon of the day following the date of expiry of three months computed from the date following the date of service of this notice on him. Aggrieved with this order, applicant has submitted an appeal dated 15.9.2016 to DGOF/Chairman, Ordnance Factory, Board Kolkata who is res.no.2 in this O.A. and since he has not received any response, this O.A. has been filed for quashing the retirement notice dated 31.08.2016 (A/3).

3. Since appeal preferred by the applicant is pending consideration, it would not be proper for the Tribunal to admit the O.A. and direct a counter to be filed by the Respondents. I, therefore, dispose this O.A. at this admission stage with direction to Respondent No.2 to consider the appeal if it is pending, and pass a reasoned and speaking order taking into account the rules and regulations in force and communicate the result thereof to the applicant within a period of three months from the date of receipt of a copy of this order. I make it clear that I have not expressed any opinion on the merits of the matter and all the points raised in the said appeal are kept open for the authorities to consider as per rules and regulations in force.



4. With the aforesaid observation and direction, the O.A. is disposed of being withdrawn. No costs.
5. On the prayer made by Ms. Dash Ld. Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos.2 &3 by Speed Post for which Ms. Dash undertakes to file the postal requisites by 01.11.2016.
6. Free copy of this order be made over to learned counsel for both the sides.


(A.K.PATNAIK)
MEMBER (J)

K.B

