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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.809 of 2016

Cuttack this the 11th day of November, 2016

CORAM

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

Dr.Sudarsan Sethi, aged about 51 years, S/o. late Basudev Sethi, residing at Plot No.581(P), Nayapalli, Behera Sahi, PO/PS-Nayapalli, Bhubaneswar - 751 012, Dist-Khurda, Odisha and at present working as Assistant Director, Central Poultry Development Organization (ER), PO/PS-Nayapalli, Bhubaneswar-751 012, Dist-Khurda, Odisha

...Applicant

By the Advocate(s)-M/s.K.C.Kanungo

C.Nayak

S.Pradhan

H.V.B.R.K.Dora

-VERSUS-

Union of India represented through:

1. The Secretary to Govt. of India, Ministry of Agriculture & Farmers Welfare, Krishi Bhawan, New Delhi-110 001
2. Jt.Secretary, National Livestock Mission, Government of India, Ministry of Agriculture & Farmers Welfare, Department of Animal Husbandry, Dairying & Fisheries, Krishi Bhawan, Room No.415, New Delhi-110 001
3. Director, Central Poultry Development Organization (ER), PO/PS-Nayapalli, Bhubaneswar-751 012, Dist-Khurda, Odisha

...Respondents

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

ORDER(Oral)

A.K.PATNAIK, MEMBER(J):


Heard Mr. K.C.Kanungo, learned counsel for the applicant and Mr. D.K.Mallick, learned ACGSC for the Respondents on the question of admission and perused the records.

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2. Applicant is presently working as Assistant Director under the Respondent- Organization. He has moved this Tribunal under Section-19 of the A.T. Act, 1985 by assailing the Advertisement/Notification dated 17.8.2016 at Annexure-A/5 for filling up six numbers of the posts of Deputy Director, Group A Gazetted on deputation basis thereby ignoring the claim of the applicant for promotion to the post of Deputy Director as a departmental officer in terms of the Recruitment Rules, 2007 (A/4).

3. It reveals from the record that ventilating his grievance, the applicant had submitted a detailed representation dated 5.10. 2016 (A/6) to the Joint Secretary (NLM) (Res.No.2) and since he has not yet received any reply, he has approached this Tribunal for redressal of his grievance.

4. Since representation as aforesaid is stated to be pending, at this stage, I am not inclined to direct notice to the respondents to file their counter. In view of this, without expressing any opinion on the merit of the matter, I would dispose of this O.A. at the stage of admission itself with direction to Respondent No.2 to consider the representation at A/6 to the O.A., if the same has been received and is pending consideration, in accordance with extant rules and instructions on the subject and communicate the decision thereon to the applicant within a period of sixty days from the date of receipt of this order. It is, however, made clear that all the points raised



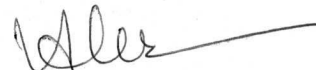
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in the representation are kept open to be considered by Res.no.2. It is further directed that if the applicant is found to be entitled to the claims made by him in his representation, the same be extend to him within a further period of two months from the date of communication of the decision. However, it is directed that no further action shall be taken in pursuance of notification dated 17.8.2016 (A/5) for a period of one month from the date of communication of decision to the applicant on his representation.

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 respondent .nos. 2 and 3 by Speed Post at the cost of the applicant for which Mr. K.C.Kanungo undertakes to file the postal requisites by 15.11.2016.

7. Free copy of this order be made over to learned counsel for both the sides.


(AK.PATNAIK)
MEMBER(J)

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