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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00926 OF 2016
Cuttack, this the 22nd day of December, 2016

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

Tushar Kanta Mishra,
aged about 52 years,
S/o-Late Narayan Mishra,
At-Dhakhinaradas, Via-Rench,
PS-Balanga, Dist-Puri,
now working as SPM,
Orissa Engineering College, SO,
Jatni, Dist-Puri.

...Applicant

By the Advocate-M/s. P. K. Das

-VERSUS-

Union of India Represented through

1. Director General of Posts, Govt. of India, Dak Bhawan, Sansad Marg, New Delhi-110116.
2. The Chief Post Master General, Odisha Circle, Bhubaneswar, Dist-Khurda-751001.
3. Director of Postal Services (HQRs), O/o-The Chief Post Master General, Odisha Circle, Bhubaneswar, Dist-Khurda-751001.
4. Senior Superintendent of Post Offices, Bhubaneswar Division, Bhubaneswar-751001, Dist- Khurda.
5. Senior Superintendent of Post Offices, Puri Division, Puri, AT/PO/Dist-Puri.

...Respondents

By the Advocate- Mr. P.K.Mohanty

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ORDER (ORAL)

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

Heard Mr. P.K.Das, Ld. Counsel for the Applicant, and Mr. P.K.Mohanty, 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.

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2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:

“(i) To admit this Original Application.

(ii) After hearing the parties the letter vide Memo No. B-26-7/2009/Ch.1 dated 27.06.2016 and 25.07.2016 vide Annexure-A/4 and Annexure-A/5 and Memo No. ST/45-Rule 38/Court Case dated 28.11.2016 vide Annexure-A/9 may be quashed and direction may be given to the respondents to Post the applicant in PA, Baramunda Colony SO or any other place in Bhubaneswar City as per the approval letter of the CMPG, Orissa dated 31.03.2015.

(iii) Any other order/orders as passed by this Hon'ble Court as deem fit and proper in the facts and circumstances of the case.”

3. Mr. Das, Ld. Counsel for the applicant, submitted that order dated 28.11.2016 has been passed by Respondent No.3 in pursuance of the order dated 07.09.2016 passed by this Tribunal in O.A.No. 612/2016, filed by the applicant, in which it has been indicated that the case of the applicant was placed before the Transfer and Placement Committee, which had met on 22.07.2016 and had recommended for modification of place of posting of the applicant from PA Baramunda Colony SO to SPM Gop SO, accordingly, Respondent No.4 issued the revised posting order of the applicant, which is quite in order. Hence, Respondent No.3 found no merit in the representation dated 17.08.2016 of the applicant for further consideration and rejected the same. Mr. Das submitted that the applicant had made representations dated 26.09.2016 before Respondent Nos.3 and 4 vide Annexures-A/10 and A/11 respectively, which are still pending consideration.

4. Since the representation of the applicant is stated to be pending with Respondent No.3, without going into the merit of the matter, I dispose of

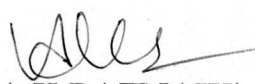
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this O.A. at this admission stage with direction to Respondent No.3 to consider the aforesaid representation (Annexure-A/10), if at all filed and is still pending consideration, as per rules and regulation governing the field and communicate the result thereof to the applicant by way of a well reasoned order within a period of two months from the date of receipt of a copy of this order. Though, I have not expressed any opinion on the merit of the matter and all the points raised in the representation are kept open for the authorities to consider the same, I make it clear that if after such consideration the applicant is found to be entitled to the relief claimed by him then expeditious steps be taken within a further period of three months from the date of such consideration to grant him the relief as claimed. It is also made clear that status quo as on date in respect of the continuance of the applicant will be maintained for a period of further one month from the date of consideration of the representation.

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

7. Copy of this order along with paper book be sent to Resp. Nos. 3 and 4 by Speed Post at the cost of the applicant for which Mr. Das, Ld. Counsel for the applicant, undertakes to file the postal requisites by 26.12.2016.


(A.K.PATNAIK)
MEMBER (J)

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