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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00236 of 2015
Cuttack, this the 6th day of May, 2015

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

....

Malaya Behera,
aged about 40 years,
S/o Late Umakanta Behera,
At/PO- Hadia, PS- Jeypore Sadar,
Dist- Koraput.

...Applicant

(Advocates: M/s. M.R.Pradhan, M.R.Behera)

VERSUS

Union of India Represented through

1. Director General of Posts,
Govt. of India, Ministry of Communications,
Department of Post, Dak Bhawan,
New Delhi-110001.
2. Chief Post Master General,
Odisha Circle, Bhubaneswar,
Dist- Khurda.
3. Superintendent of Post Offices,
Koraput Division,
Jeypore (K)-764001.

... Respondents

(Advocate: Mr. S. Behera)

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ORDER (ORAL)

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

Heard Mr. M.R.Pradhan, Ld. Counsel for the Applicant, and Mr. S.Behera, Ld. Sr. Central Govt. Panel Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.



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

“(i) Direct the Respondents to give compassionate appointment to the applicant as per his qualification.

(ii) To pass such other or further order.....”

3. Facts of the case, as reveals from the record, are that the applicant's father while working as Branch Post Master, Hadia, died prematurely on 11.06.2010 leaving behind three sons and 2 married daughters. The applicant after obtaining legal heir certificate made representation to Respondent No.3 vide Annexure-5 dated 27.01.2013 seeking appointment on compassionate ground. Having received no response from the said Respondent after more than two years, he has filed this O.A. with the aforesaid prayer. Mr. Pradhan, Ld. Counsel for the applicant, submitted that grievance of the applicant might be redressed if a direction is given to Respondent No.3 to consider applicant's representation dated 27.01.2013 vide Annexure-5.

4. Taking into account the submission made by Mr. Pradhan, Ld. Counsel for the applicant, without expressing any opinion on the merit of the case, I dispose of this O.A. at this admission stage by directing Respondent No. 3 to consider and dispose of the representation dated 27.01.2013, if the same has been filed and is still pending consideration, in a well reasoned order and communicate the same to the applicant within a period of 60 days from the date of receipt of a copy of this order. However, the points raised by the applicant in his representation are kept open for the authorities to consider the same as per the law and rules in force. However, if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of a copy of this order.



5. With the aforesaid observation and direction, this O.A. stands disposed of at the stage of admission itself. No costs.

6. On the prayer made by Mr. Pradhan, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 2 and 3 by Speed Post for which he undertakes to file the postal requisites by 12.05.2015.


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

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