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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00036 OF 2015
Cuttack this the 17th day of April, 2015

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

.....

Shri Lochan Sahoo,
aged about 45 years,
S/o- Late Dhobei Sahoo,
At-Budhipada, PO-Sisilo, P.S.-Baliana,
Dist-Khurda, At present working
As Casual worker at Science Branch,
Office of the Superintending Chemist,
Archaeological Survey of India,
Toshali Apartment, Satyanagar,
Bhubaneswar-07, Odisha.

.....Applicant

Advocate(s) Mr. P.B. Mohapatra

VERSUS

Union of India represented through

1. The Secretary,
Ministry of Culture,
Govt. of India, Shastri Bhawan,
New Delhi-110001.
2. Director General,
Archaeological Survey of India,
Janpath, New Delhi-110011.
3. Superintending Archaeological Chemist,
Archaeological Survey of India,
Toshali Apartment, Satyanagar,
Bhubaneswar-7, Dist-Khurda, Odisha.

..... Respondents

Advocate(s)..... Mr. S.K. Singh



ORDER (ORAL)

A. K.PATNAIK, MEMBER (J):

Heard Mr. P.B. Mohapatra, Ld. Counsel appearing for the Applicant, and Mr. S.K. Singh, Ld. ACGSC 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 under Section 19 of the Administrative Tribunals Act, 1985 in which the applicant has prayed for the following reliefs:

“...to direct the departmental respondents to consider the case of the applicant to grant 1/30th status to him with all other benefits to which he is entitled to with effect from the date of enjoyment of such benefit by his colleagues.”

3. Mr. Mohapatra, Ld. Counsel appearing for the applicant, submitted that the applicant joined as Casual Worker in the year 1992 under the office of the Respondent No.3. It is also stated by Mr. Mohapatra that as the applicant has served on daily wage basis for more than 240 days in a year for more than 15 years as the nature of work entrusted to the applicant is the work of a regular employee he is entitled to 1/30th of minimum wages of a regular Group “D” staff as per DOP&T O.M. dated 07.06.1988. Mr. Mohapatra submitted that the applicant has already submitted so many representations to the authorities claiming his legitimate right and the last representation preferred to the Director General Archaeological Survey of India, i.e. Respondent No.2, on 16.09.2014 vide Annexure-A/2 but till date no reply has been received by the applicant and hence, he has approached this Tribunal in the present O.A. with the aforesaid reliefs.



4. In view of the aforesaid facts and the positive case of the applicant that his representation dated 16.09.2014 is still pending with the Respondent –Department, at this stage, without entering into the merit of this case, I dispose of this O.A. by directing Respondent No.2 to consider the said representation, if the same is still pending with him, and communicate the result thereof to the applicant by way of a reasoned and speaking order within a period of 60 days from the date of receipt of a copy of this order. It is made clear that till the representation is considered and result communicated to the applicant, status quo as on date in respect of the continuance of the applicant will be maintained. 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 four weeks from today.

5. On the prayer made by Mr. Mohapatra, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent Nos.2 & 3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 21.04.2015. Free copy of this order be also made over to and Mr. S.K. Singh, Ld. ACGSC appearing for the Respondent during the course of the day.


(A.K.PATNAIK)
MEMBER(J)