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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/00243/2015
Cuttack this the 13th day of May, 2015

CORAM
HON'BLE SHRI A.K.PATNAIK, MEMBER(J)
HON'BLE SHRI R.C.MISRA, MEMBER(A)

Miss Manaswani Nayak
aged about 29 years,
C/o. late Ganesh Chandra Sahu(Postal Agent)
At-Friends Colony
Goilundi
PO/PS-Berhampur
Diost-Ganjam

...Applicant

By the Advocate(s)-Mr.M.K.Pati

-VERSUS-

1. All India Medical Sciences
At-Sijua, PO-Dumduma,
PS-Khandagiri
Bhubaneswar
Dist-Khurda represented through the Director
2. The Director
All India Medical Sciences
Bhubaneswar
At-Sijua, PO-Dumduma, PS-Khandagiri
Bhubaneswar, Dist-Khurda
3. Administrative Officer
All India Medical Sciences
Bhubaneswar, At-Sijua, PO-Dumduma
PS-Khandagiri
Bhubaneswar
Dist-Khurda
4. Union of India represented through
Secretary, Ministry of Health & Family Welfare Department
Nirman Bhawan, C-Wing
New Delhi-110 001

...Respondents

By the Advocate(s)-Mr.J.K.Nayak




ORDERA.K.PATNAIK, MEMBER(I):

Applicant in this Original Application has challenged the order dated 12.09.2014(A/4) whereby offer of appointment to the post of Staff Nurse(Sister Grade-II) issued in her favour has been withdrawn and in the circumstances, she has prayed for direction to be issued to the respondents authorities to give appointment to the post in question.

2. It is the case of the applicant that she was a contending candidate for the post of Staff Nurse(Sister Grade-II) in pursuance of recruitment notice dated 13.07.2013(A/2) issued by the respondent-authorities. She having come out successful in the interview was selected and consequently, issued with the offer of appointment vide A/3 dated 8.9.2014. While the matter stood thus, vide communication dated 12.09.2014(A/4) offer of appointment issued in her favour was withdrawn due to administrative reasons. Aggrieved with the above, applicant submitted a representation dated 15.09.2014 to the director, AIIMS, Bhubaneswar to intimate her the exact status and the reason of withdrawal of the offer of appointment issued in her favour. Since her representation did not yield any result, she moved the Hon'ble High Court of Orissa in W.P.C. No.183 of 2015, which however having been withdrawn by the order dated 17.03.2015 of the Hon'ble High Court, applicant has invoked the jurisdiction of the Tribunal in this O.A.

3. Heard Mr.M.K.Pati, learned counsel for the applicant and Mr.J.K.Nyak, learned ACGSC for the Respondents on the question of admission. During the course of hearing, Mr. Pati submitted that the grievance of the applicant will



more or less be redressed if a direction is issued to the Respondent No.2 to consider and dispose of the pending representation of the applicant.

4. Mr.J.K.Nayak has no immediate instructions regarding any such representation being filed by the applicant and if so the status thereof.

5. Having regard to the submissions made by both the sides, at this stage, we think it proper to direct the Respondent No.2 to consider and dispose of the pending representation of the applicant .


6. Accordingly, without entering into the merit of the matter, we direct Respondent No.2, i.e. Director, All India Institute of Medical Sciences, Bhubaneswar to consider and dispose of the applicant's representation dated 15.9.2014(A/5), if the same is still pending and pass a reasoned and speaking order within a period of thirty days from the date of receipt of this order. We hope, while disposing of the representation, Respondent No.2 will take into consideration all the points raised by the applicant therein. However, if the said representation has already been disposed of in the meantime, decision thereon shall be communicated to the applicant within a period of two weeks from to-day.

7. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

8. On the prayer made by Mr.Pati copy of this order along with paper book be sent to Respondent No.2 for which Mr.Pati undertakes to file the postal requisites by 15.5.2015. Free copy of this order be made over to learned counsel for both the sides.

(R.C.MISRA)
MEMBER(A)




(A.K.PATNAIK)
MEMBER(J)