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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00247 of 2015
Cuttack, this the 15th day of June, 2015

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

.....

B. Vikram Kumar,
aged about 26 years,
S/o Late B. Harish Kumar Babu,
Resident of At- Near Radio Station,
Laxmi Nagar, Gate Bazar, PO- Berhampur-1,
Dist- Ganjam, Odisha, PIN- 760001.

...Applicant

(Advocates: M/s. C. Sahani, P.K. Samal, D.P.Mohapatra)

VERSUS

Union of India Represented through its

1. Secretary-cum-Director General of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110116.
2. Chief Post Master General,
Odisha Circle, At/PO-Bhubaneswar,
Dist- Khurda, Odisha-- 751001.
3. Post Master General,
Berhampur (Gm) Region,
Berhampur-I, Dist- Ganjam,
Odisha, Pin--760001.
4. Senior Supdt. of Post Offices,
Berhampur (Gm) Division,
Berhampur-760001.

... Respondents

(Advocate: Mr. S. Behera)

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ORDER (ORAL)

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

Heard Mr. C. Sahani, 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:

“.....to direct the respondent(s) to consider the claim of the applicant by quashing the orders at Annexure-A/4 and Annexure-A/5.”

3. Case of the applicant in nutshell is that his father B.Harish Kumar Babu, SPM, Bomokai, died of heart attack in the office on 31.12.2010. He applied for the compassionate appointment vide application dated 29.03.2012 but the same was rejected by the Circle Relaxation Committee held on 28.01.2014. His case has again been rejected by the CRC held on 28.01.2015, which has been communicated to him vide letter dated 17.02.2015 (Annexure-A/5). Mr. Sahani, Ld. Counsel for the applicant, submitted that the applicant vide Annexure-A/10 dated 17.02.2015 has represented to the CPMG, Odisha (Respondent No.2), to give a fresh look and consider his case for compassionate appointment.

4. We find that the applicant has been communicated vide Annexure-A/5 as under:


“in pursuance of the C.O. L.No. CRC/Meeting-Deptt/2014 dated 10.02.2015, it is to intimate that your case was considered by the Circle Relaxation Committee but could not be approved because as per points obtained by you based on norms of the Department, you did not come within the zone of the vacancies earmarked for compassionate appointment of PA, Postman and MTS cadre”.




In our considered view the above order passed under Annexure-A/5 is not a reasoned order but a cryptic one. Accordingly, at this admission stage, we quash Annexure-A/5 and direct Respondent No.2 to consider Annexure-A/10 representation and pass 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, 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. No costs.

6. On the prayer made by Mr. Sahani, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No. 2 by Speed Post for which he undertakes to file the postal requisites by 18.06.2015.


(R.C.MISRA)
MEMBER(Admn.)


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