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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No. 260/00255 of 2015
Cuttack, this the 14th day of May, 2015

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

.....

Suvendu Nayak,
aged about 24 years,
S/o Sachidananda Nayak,
Of village-Dhuliswar, PO- Bentkar,
Dist- Cuttack- 754012.

...Applicant

(Advocates: M/s. S.Barik, P.C.Behera, D.K.Mohanty, D.K.Mohanty-A)

VERSUS

Union of India Represented through

1. Secretary,
Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110001.
2. Chief Postmaster General,
Odisha Circle, At- CPMG Squire,
PO- Bhubaneswar G.P.O.,
Dist- Khurda, PIN-751001.
3. Director of Postal Services,
O/o Chief Postmaster General,
Odisha Circle, At- CPMG Squire,
PO- Bhubaneswar G.P.O.,
Dist- Khurda, PIN-751001.

... Respondents

(Advocate: Mr. P.K.Mohanty)

.....

OR D E R (ORAL)

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

Heard Mr. S.Barik, Ld. Counsel for the Applicant, and Mr. P.K.Mohanty, Ld. Additional 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.

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

(a) To direct the Respondent No.1 and 2 to consider the case of the applicant by declaring the result of OBC community along with the rank of all applicants including present applicant, when the cut off mark of the OBC candidate is only 58 mark.”

(b) To quash the result dated 15.01.2015 and full phase result of all the community may be made afresh.

(c) To pass any other order.....”

3. The case of the applicant in nutshell is that pursuant to advertisement dated 22.08.2014 he applied for the post of Postman/Mail Guard and appeared in the written examination held on 14.12.2014. His grievance is that on 15.01.2015 the result was published by the office of Respondent No.2 except the result of OBC community. Mr. Barik, Ld. Counsel for the applicant, submitted that though the applicant made a representation to the Secretary, Department of Posts, i.e. Respondent No.1 on 02.04.2015, no reply till date has been received by him for which he has approached this Tribunal in this present O.A.

4. In view of the above, without expressing any opinion on the merit of the case, we dispose of this O.A. at this admission stage by directing Respondent No. 1 to consider and dispose of the representation, if the same has been preferred by the applicant on 02.04.2015 and is still pending consideration, with 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 rules



and regulations in force. If in the meantime the said representation stated to have been filed 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. As an interim measure, the applicant has prayed that one "OBC" post of Postman/Mail Guard cadre be kept open till disposal of this O.A. ^{A. Q} as we are disposing of this O.A. and the factual position is not before us, we direct that if all the posts of Postman/Mail guard under OBC quota have not been filled up then one post be kept open till disposal of the representation and result communicated to the applicant.

6. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

7. On the prayer made by Mr. Barik, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No. 1 by Speed Post for which he undertakes to file the postal requisites by 18.05.2015. Free copy of this order be made over to Mr. Mohanty, Ld. ACGSC, after filing of his

power



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



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