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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00257 of 2015
Cuttack, this the 14th day of May, 2015

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

Lingaraj Sahoo,

aged about 51 years,

S/o Late Nabakishore Sahoo,

Supervisor, CPC, Postal Stores Deport,

Resident at Plot No. 1/179, Phase No. III,

DDHB Colony, Bhubaneswar.

...Applicant

(Advocates: Mr. D.K.Mohanty)

VERSUS

Union of India Represented through its

1. Director General of Posts,
   Ministry of Communications,
   Department of Posts,
   Dak Bhawan, Sansad Marg,
   New Delhi-110001.

2. Chief Postmaster General,
   Odisha Circle, Bhubaneswar,
   Dist- Khurda, PIN-751001.

3. Sr. Superintendent of Post Offices,
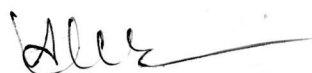   Bhubaneswar Division,
   Bhubaneswar-1.

... Respondents

(Advocate: Mr. A.K.Mohapatra)

......
O R D E R (ORAL)

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

Heard Mr. D.K.Mohanty, Ld. Counsel for the Applicant, and Mr.

A.K.Mohapatra, 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:

> "(i) To quash the order dt. 26/30.3.2015 under Annexure-A/5.
> (ii) To direct the Respondents to promote the applicant to HSG-II after 8 years of LSG and HSG-I after 3 years of HSG-II cadre retrospectively with all consequential benefits.
> (iii) To pass any other order..........................."

3.   The case of the applicant in nutshell is that he joined the Postal

Department on 10.01.1984 in the post of Postal Assistant and, subsequently, was

promoted to LSG cadre on 14.01.2000 after completion of 16 years of regular service.

Consequent upon the notional promotion of similarly situated persons, who had filed

O.As. before this Tribunal which was upheld by the Hon'ble High Court as well as

Hon'ble Apex Court, in the cadre of LSG/HSG-II and HSG-I, the applicant made

representation on 23.02.2015 vide Annexure-A/4 before Respondent No.2 to extend

the similar benefits. The same has been rejected vide order dated 26/30.03.2015

(Annexure-A/5), which is the subject matter of challenge in this O.A.

4.   We find that the order dated 26/30.03.2015, which has been challenged

in this O.A., is an order by implementing the order of this Tribunal passed in O.A.

Nos. 1196 and 1213 to 1221 of 2004 vide a common order dated 23.07.2008. Mr.

Mohanty, Ld. Counsel for the applicant, submitted that the grievance of the applicant

raised in the representation was considered and has been rejected by the order under

Annexure-A/5. On perusal of the same we are of the considered view that the order

under Annexure-A/5 is not a reasoned order and more so is a cryptic one. In view of

this, we quash the order dated 26/30.03.2015 passed by the Chief Postmaster General

under Annexure-A/5 and remand the matter back to him, i.e. Respondent No.2, to reconsider the representation made by the applicant and pass a reasoned and speaking order meeting all the points raised in the said representation and communicate the same to the applicant. The entire exercise should be completed 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.

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

6.   On the prayer made by Mr. Mohanty, 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 18.05.2015. Free copy of this order be made over to Mr. Mohapatra, Ld. ACGSC, after filing of his power.

(R.C.MISRA)   (A.K.PATNAIK)
MEMBER(Admn.)   MEMBER(Judl.)

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