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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.260/00293 of 2015
Cuttack, this the 27th day of May, 2015

CORAM
HON'BLE MR. R.C. MISRA, MEMBER (A)

Pitabash Pradhan,
aged about 43 years,
Son of Late Udayanath Pradhan,
At- Charikonja, Po-Rauti,
Via-Jagannath Prasad,
Dist-Ganjam-761121
now working as GDS MD-cum-I/C BPM Rauti B.O,

...Applicant

(Advocate: M/s. P.R.J. Dash, M.P.J. Ray)

VERSUS

Union of India Represented through

1. Secretary-cum-Director General of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110116.
2. Post Master General,
Berhampur Region,
At/Po-Berhampur,
Dist-Ganjam-760001.
3. Superintendent of Post Offices,
Aska Division,
At/Po.-Aska, Dist-Ganjam-761110.

... Respondents

(Advocate: Mr. S.B. Mohanty)

ORDER(Oral)

R.C. MISRA, MEMBER (A)

Heard Mr. P.R.J. Dash, Ld. Counsel appearing for the Applicant and
Mr. S.B. Mohanty, 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. In this O.A., the applicant has challenged the illegal and arbitrary action of the Respondents in issuing fresh advertisement for selection to the post of GDS BPM of Rauti B.O. in which he has been discharging his duty for more than 12 years.

3. Mr. Dash, Ld. Counsel for the applicant has argued that the applicant was appointed as GDS MD of Rauti BO in account with Jagannath Prasad S.O. on 04.03.1996 and while discharging this work he was directed to manage the work of GDS BPM of Rauti B.O. Therefore, the applicant has been discharging his duty as GDS BPM of Rauti B.O in addition to his own duty as GDS MD since 02.04.2003. Ignoring the long services that the applicant has rendered to the Department, the Respondents on 31.12.2014 have brought out a notice inviting applications in the prescribed pro forma from the intending candidates for filling up the post of GDS BPM of Rauti B.O. Mr. Dash, Ld. Counsel for the applicant has further submitted that in case a fresh recruitment is made the entire service career of the applicant in the Department would be nullified and as he has already crossed the age of taking any other employment, he would lose his bread and butter.

4. It is brought to my notice that the applicant has made a representation dated 24.01.2014 (Annexure-A/1) with a prayer for his confirmation in post of GDS BPM, Rauti B.O. to Superintendent of Post Offices, Aska Division, Ganjam (Respondent No.3) which is still pending with him. It is however, seen that after the public notification issued on 31.12.2014 the applicant has not again approached the authorities pursuing his prayer. However, since the earlier representation dated 24.01.2014 (Annexure-A/1) is still pending with Respondent No.3, at this stage, without



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entering into the merit of this case, I dispose of this O.A. with a direction to Respondent No.3 to consider the said representation as per Rules, if the same is received and still pending at his level, and communicate the result thereof to the applicant by way of a reasoned and speaking order within a period of 30 days from the date of receipt of a copy of this order.

5. It is also made clear that till the representation is considered and disposed of by Respondent No.3, the process of recruitment vide notification dated 31.12.2014 shall continue, but the result thereof shall not be published, if not published already, until the disposal of the said representation.

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

7. On the prayer made by Mr. Dash, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent No.3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 29.05.2015.



(R.C. MISRA)
MEMBER(A)