

6

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

Original Application No.260/00337 of 2015
Cuttack, this the 21st day of July, 2015

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

Ananta Charan Mishra,
aged about 55 years,
Son of Late Narayan Mishra,
At/PO-Dalijada, Berhampur,
PS.Charbatia, Via.Charbatia,
Dist-Cuttack-754028,
Now working as GDS Packer
Charbatia Post Office, Charbatia,
Dist-Cuttack (Now terminated)

.....Applicant
(Advocates: M/s. U. R. Padhi, B. Samal)

VERSUS

Union of India Represented through

1. Secretary,
Ministry of Communication,
I.P., Department of Post,
Dak Bhawan, Sansad Marg,
New Delhi-110 116.
2. Deputy Director General (Establishment),
Dak Bhawan, Sansad Marg,
New Delhi-110 116.
3. Chief Postmaster General,
PMG Office,
Bhubaneswar, Odisha,
PIN-751001.
4. Post Master,
Charbatia, At/PO- Charbatia,
Dist-Cuttack.

..... Respondents
(Advocate: Mr. B. P. Nayak)



ORDER(Oral)

A.K. PATNAIK, MEMBER (J):

Heard Ms. U.R. Padhi, Learned Counsel appearing for the Applicant and Mr. B.P. Nayak, Ld. ACGSC appearing for the Respondent, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. The facts of the case are that the applicant was appointed provisionally as sweeper-cum-waterman in the year 1989 at Charbatia Post Office, Cuttack. Thereafter the applicant was engaged as GDS Packer from the year 2009 to 2014. Ms. Padhi, Ld. Counsel for the applicant submitted that though the applicant had worked for a pretty long period of more than 25 years, but all on a sudden, Respondent No.4 did not allow the applicant to work and asked him not to come to the Post Office. Thereafter the applicant made several representations before the Respondents-Department. Ms. Padhi further submitted that though the applicant has been rendering his duties as GDS Packer w.e.f. 2009 till 2014 but he has not yet been disbursed his arrear dues. Being aggrieved, the applicant made representation to Respondent No.2 on 27.06.2015 (Annexure-A/4 series) to allow him to enter into the Post Office for carrying out allotted task as per old practice in the system at Charbatia Post Office and release of arrear due. But till date no reply has been received by the applicant. Hence, he has approached this Tribunal in the present O.A. with a prayer to re-instate him in the job as Class-IV employee and regularize him keeping in view 25 years of continuous service and disburse the arrear dues w.e.f. 2009 to October, 2014.

3. In view of the aforesaid facts as the representation dated 27.06.2015 (Annexure-A/4 series) is still pending with the Respondent No.2, at this stage, we dispose of this O.A. by directing Respondent No.2 to consider and dispose of the said representation dated 27.06.2015 (Annexure-A/4 series) and communicate the result thereof to the applicant by way of a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. However, we have not expressed any opinion on the merit of the matter and the points raised by the applicant in his representation are kept open for the authorities to consider the same as per rules, regulations and law in force. However, if in the meantime, the said representation has already been disposed of,

Alley

then the result thereof be communicated to the applicant within a period of 15 days from the date of receipt of copy of this order.

4. On the prayer made by Ms. Padhi, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent No.2 by Speed Post at the cost of the applicant for which she undertakes to file the postal requisites by 27.07.2015. Free copy of this order be given to Mr. B. P. Nayak, Ld. ACGSC appearing for the Respondent.


(R.C.MISRA)
MEMBER(A)


(A.K.PATNAIK)
MEMBER(J)

K..B