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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/00345 of 2015
Cuttack this the 24th day of June, 2015

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

Binaya Kumar Sahoo
Aged about 39 years
S/o.Sri Jagannath Sahoo
At/PO-Godisahi
Via-Mundali Colony
Dist-Cuttack-754 006
Now working as Accountant
O/o. HRO, RMS 'N'Division
Cuttack-1

...Applicant

By the Advocate(s)-Applicant in Person

-VERSUS-

Union of India represented through

1. The Secretary cum Director General of Posts
Dak Bhawan
Sansad Marg
New Delhi-110 116
2. Chief Post Master General
Odisha Circle
At/PO-Bhubaneswar
Dist-Khurda -751 001
3. Director of Postal Services
O/o.Chief Post Master General
Odisha Circle
At/PO-Bhubaneswar
Dist-Khurda -751 001



4. Sr. Superintendent of Post Offices
RMS N Division, Cuttack-753 001

5. Tusar Kanti Bahalia
Accountant
O/o. Sr. Superintendent of Post Offices
RMS N Division, Cuttack-753 001

6. Pankaja Kumar Mohapatra
Accountant
O/o. Sr. Superintendent of Post Offices
RMS N Division
Cuttack-753 001

...Respondents

By the Advocate(s)-

ORDER

R.C.MISRA, MEMBER(A):

Heard Shri B.K.Sahoo, applicant appearing in person. Copy of O.A. is said to have been served on Shri S.Behera, SCGPC.

2. It is the case of the applicant that he joined as Sorting Assistant in the RMS 'N' Division, Cuttack in the year 1999 and at that point of time, he was 2nd in rank of the merit list. His grievance is that although he is senior to Private Respondent Nos. 5 and 6 in the Divisional Gradation List, these two respondents have been placed as senior to him in the Circle Gradation List. By doing so, the departmental authorities have ignored his seniority in the list of Direct Recruits. He further submitted that he passed Accountant Examination in the year 2006 and was absorbed as Accountant in the year



2009. On the other hand, Respondent No.6 was absorbed as Accountant in the year 2011 and the Respondent No.5 has not so far been absorbed in the post of Accountant. His further submission is that the DPC will be soon held for filling up the post of LSG and great prejudice will be caused to him if such selection is finalized on the basis of the existing Circle Gradation List. On being asked, whether he preferred any objection to the draft gradation list published by the Department, applicant candidly submitted that he has not been able to do so because of his oversight. However, at a later point of time, he has submitted a representation to the Chief Post Master General, Orissa Circle on 1.6.2015 followed by another representation dated 15.6.2015 addressed to the Director of Postal Services. It is also seen that both the representations have been preferred in the year 2015. From the letter dated 3/5.2015 at A/5, it is found that gradation list of SAs of Orissa Circle has been circulated by the Office of CPMG, Orissa Circle. Therefore, making representations in the year 2015 to the CPMG as well as to DPC through SSRM, RMS 'N' Division, Cuttack seems to be in order. The departmental authorities need to consider the representations on merit after taking into account the specific contentions with regard to seniority of the applicant vis-à-vis private respondent Nos. 5 and 6 in this O.A.



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3. Therefore, without going into the merit of this matter, I would direct the Chief Post Master General and the Director of Postal Services (Res. Nos. 2 and 3) to consider and dispose of the representations if such representations have been received at their level, and communicate decision thereon to the applicant through a reasoned and speaking order within a period of sixty days from the date of receipt of this order, after taking an appropriate decision regarding fixation of his seniority in the Circle Gradation List. Applicant has expressed an apprehension that since the DPC meeting is being shortly held, his interest may be prejudiced by any decision without the correct fixation of his seniority. Considering such submission, it is also directed that if there is any contemplation of holding DPC, such DPC meeting could be held after the disposal of the representations of the applicant with regard to correct fixation of his seniority.

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

5. On the prayer made by the applicant, copy of this order along with paper book of O.A. be served on Respondent Nos. 2 and 3 by Special

A handwritten signature in black ink, appearing to read 'R. J.' or a similar initials.

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Messenger in course of the day. Applicant is directed to deposit the cost of Special Messenger in the Registry.

Free copy of this order be made over to the applicant appearing in person.


(R.C.MISRA)
MEMBER(A)

BKS