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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00437 of 2015
Cuttack, this the 22nd day of July, 2015

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

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Kshiroda Prasad Nayak,
aged about 28 years,
S/o Aruni Nayak,
At/PO/Via- Bakingia, PS- Raikia,
G. Udayagiri (Sriramapanda),
Dist: Kandhamal-762100.

...Applicant

(Advocates: M/s. S.Mohanty, B.Biswal)

VERSUS

Union of India Represented through its

1. Secretary,
Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110001.
2. Chief Postmaster General,
Orissa Circle, P.M.G. Square,
Bhubaneswar, Dist- Khurda, PIN-751001.
3. Superintendent of Post Offices,
Phulbani Division,
Phulbani-762001.
4. Inspector of Posts,
G. Udayagiri Sub-Division,
At-G.Udayagiri, Dist- Phulbani,
PIN- 762100.

... Respondents

(Advocate: Mr. C.M.Singh)

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ORDER (ORAL)

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

Heard Mr. S.Mohanty, Ld. Counsel for the Applicant, and Mr. C.M.Singh, 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.

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

“.....to direct the Respondent No.3 and 4 to allow the applicant to discharge his duty and send him for Training within a stipulated period.

And further direction be given to the respondent Nos. 3 and 4 to dispose of the representation vide Annexure-4 dt. 20/4/2015.....”

3. Applicant in pursuance to Advertisement dated 06.03.2014 issued by Respondent No.4 applied for the post of GDS MD/MC of Kanbageri BO under G. Udayagiri Sub-Division Office and stood 2nd in the merit list. The 1st candidate though joined the post but gave resignation subsequently, accordingly, vide Annexure-A/3 dated 23.02.2015 applicant was offered with the appointment. Mr. Mohanty, Ld. Counsel for the applicant, submitted that as asked in the said letter, the applicant submitted required documents on 02.03.2015 but till date no action has been taken for his joining/training. Hence, the applicant filed a representation dated 20.04.2015 (Annexure-4) to Respondent No.4, which is stated to be pending.

4. In view of the above, since the representation of the applicant is stated to be pending, without expressing any opinion on the merit of the case, we dispose of this O.A. at this admission stage by directing Respondent No. 4 to consider and dispose of the representation vide Annexure-4, if the same has been preferred by the applicant and is still pending consideration, with a well reasoned order and communicate the same to the applicant within a period of two months from the date of receipt of a copy of this order. However, the points raised by the applicant in his representations are kept open for the authorities to consider the same as per the law and rules in




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force. If after such consideration the applicant is found to be entitled to the appointment then necessary steps be taken to send him on training and take further follow up action within a further period of three months therefrom. If in the meantime the representation has already been disposed of then result thereof be communicated to the applicant within a period of two weeks.

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. 4 by Speed Post for which he undertakes to file the postal requisites by 27.07.2015.


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


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