

5

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK**

Original Application No.260/00581 of 2015  
Cuttack, this the 21<sup>st</sup> day of September, 2015

**CORAM**  
**HON'BLE SHRI A.K. PATNAIK, MEMBER (Judl.)**  
**HON'BLE SHRI R.C. MISRA, MEMBER (Admn.)**

.....  
Chinmay Kumar Mohanty,  
aged about 52 years,  
Son of Kailash Chandra Mohanty,  
Asst. General Manager, NALCO,  
Q.No. D/122, Nalck Nagar, Dist-Angul.

.....Applicant

(Advocates: M/s. B.K. Pattanaik, A. Pattanaik)

**VERSUS**

Union of India Represented through

1. Secretary, Ministry of Mines,  
Room No. 320 A wing,  
Shastry Bhawan, New Delhi.

2. Chairman-cum-Managing Director,  
Corporate Office, Nalco Bhavan,  
Nayapalli, Bhubaneswar-751013,  
Dist- Khurda.

3. Director, Production  
Corporate Office, Nalco Bhavan,  
Nayapalli, Bhubaneswar-751013,  
Dist- Khurda.

4. Director, H.R.D.  
Corporate Office, Nalco Bhavan,  
Nayapalli, Bhubaneswar-751013,  
Dist- Khurda.

5. Krishnendu Chatterjee,  
Dy. General Manager,  
Corporate Office, Nalco Bhavan,  
Nayapalli, Bhubaneswar-751013,  
Dist- Khurda.

..... Respondents

(Advocate: Mr. M.K.Mishra (Sr. Counsel), Mr. D.K.Patnaik )

.....

*Wd/le*

## O R D E R (Oral)

### A.K. PATNAIK, MEMBER (J):

Heard Mr. B.K.Pattanaik, Ld. Counsel appearing for the Applicant, and Mr. M.K.Mishra, Ld. Sr. Counsel, assisted by Mr. D.K.Patnaik, Ld. Counsel appearing for the Respondents-NALCO, on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. Mr. Pattanaik, Ld. Counsel for the applicant, submitted that though the applicant was senior to Respondent No.5, but Respondent No.5 has been promoted to the post of Dy. General Manager in the Electronics and Instrumentation cadre ignoring the seniority of the applicant. He further submitted that after such promotion accorded to the Respondent No.5, applicant has already made a series of representations before Respondent No.2, i.e. Chairman-cum-Managing Director, Nalco, Bhubaneswar, on 06.04.2015, 25.05.2015 and 27.06.2015 vide Annexure-A/5 series but till date the applicant has not received any response from the said Respondent No.2.

3. Taking into account the submissions made by Ld. Counsel for the applicant, we do not feel it proper to keep the matter pending. Accordingly, without going into the merits of the matter, we dispose of this O.A. by directing Respondent No.2 to consider and dispose of the representations vide Annexure-A/5 series, if such representations have been filed and are still pending consideration, as per the NALCO rules and regulations 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 copy of this order. However, we make it clear that if, in the meantime, the said representations have already been disposed of, then the result thereof be



communicated to the applicant within a period of four weeks' from the date of receipt of a copy of this order.

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

5. On the prayer made by Mr. Pattanaik, 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 he undertakes to file the postal requisites by 28.09.2015.

6. Free copy of this order be also given to the Ld. Counsel for the applicant.

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

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

RK