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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

Original Application No.260/00684 of 2015  
Cuttack, this the 14<sup>th</sup> day of October, 2015

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

Srinibasa Moharana,  
aged about 25 years,  
S/o. Pramod Kumar Moharana,  
At-Garam, PO-Chanarpur,  
P.S-Balikuda, Dist-Jagatsinghpur,  
State-Odisha.

...Applicant

(Advocate: M/s. B.P. Satpathy, B.K. Nayak)

**VERSUS**

Union of India Represented through

1. The General Manager,  
East Coast Railway, 2<sup>nd</sup> Floor,  
South Block, E.Co.R. Sadan,  
Samata Vihar, PO-Mancheswar,  
Bhubaneswar-751017, Dist-Khurda.
2. Chief Personnel Officer,  
East Coast Railway, 2<sup>nd</sup> Floor,  
South Block, E.Co.R. Sadan,  
Samata Vihar, PO-Mancheswar,  
Bhubaneswar-751017, Dist-Khurda
3. Chairman, Railway Recruitment Board,  
Bhubaneswar, Government of India,  
Ministry of Railway, B-79/80,  
Rail Vihar, Chandrasekharpur,  
Bhubaneswar-751023, Dist-Khurda.

... Respondents

(Advocate: Mr. T.Rath )



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**ORDER(Oral)**

**R.C.MISRA, MEMBER(A)**

Heard Mr.B.P.Satpathy, learned counsel for the applicant and Mr.T.Rath, learned Standing Counsel for the respondents. Mr. Satpathy submitted that the applicant in pursuance of employment notice dated 18.01.2014 submitted an application for the post of Assistant Loco Pilot. Subsequently he was also declared qualified in the written test and was asked to appear in the skill test. Applicant after succeeding in the skill test was issued with a letter dated 04.08.2015 to appear on 23.09.2015 for verification of the original documents. But on the same day, OBC Certificate obtained by the applicant on 06.02.2014 was not accepted in view of the stipulations contained in the letter dated 04.08.2015. Now, the applicant has been allowed time till 30.09.2015 to produce the OBC Certificate issued within one year before the date of verification failing which his candidature will be rejected. At this stage applicant has approached this Tribunal.

2. Mr. Satpathy has not enclosed any order of Respondents-Authorities which he seeks to challenge. On the other hand, he has not made any representation to the Departmental Authority. Therefore, under Sections 20 and 21 of the AT Act this O.A. is not maintainable since the departmental remedies have not been exhausted by the applicant. On being confronted



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with this query, Mr. Satpathy sought leave of this Tribunal to withdraw this O.A. with a liberty to file a representation before Respondent No.3, i.e. Chairman Recruitment Board by putting forth his grievance. In the circumstances, the O.A. is allowed to be withdrawn. However, if the applicant files a representation within a period of seven days from today Respondent No.3 is directed to consider and dispose of the same and communicate the decision thereon to the applicant with a reasoned and speaking order within a period of 30 days from the date of receipt of such representation.

3. Free copy of this order be made over to learned counsel for both the sides.

  
**(R.C.MISRA)**  
**MEMBER(A)**

BKS