

3

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK**

Original Application No. 260/00983 of 2015  
Cuttack, this the 22<sup>nd</sup> day of March, 2016

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

.....  
Ganeswar Tarai, Aged about 42 years, Son of Sukadev Tarai, At/P.O. Endalba, Via:Jenapur, P.S. Dharmasala, Dist.Jajpur.

...Applicant

(Advocates: M/s. S. Pattnaik, J.M. Rout, K.C. Swain)

**VERSUS**

Union of India Represented through

1. Secretary, Department of Information and Technology (Govt. of India), Electronics, Niketan, 6-CGO Complex, Lodhi Road, New Delhi-110003.
2. Director General, Software Technology Parks of India, Electronics, Niketan, 6-CGO Complex, Lodhi Road, New Delhi-110003.
3. Director, Software Technology Parks of India, STPI, Guwahati City Centre, Institution of Engineers (India) Building, Panbazar, Guwahati-1.
4. Additional Director, Software Technology Parks of India, C-Ground Zero, Fortune Tower, Chandrasekharpur, Bhubaneswar-751023.
5. Officer in charge, Software Technology Parks of India, Near I.G. Park, Sector-5, Rourkela, Dist.-Sundargarh.

... Respondents

(Advocate: Mr. S.K. Patra )

.....

**O R D E R (ORAL)**

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

Heard Mr. S. Pattnaik, Ld. Counsel for the Applicant and Mr. S.K. Patra, Ld. Addl. 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.

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

- “i) To quash the order under annexure-A/9 which amounts to an order of disengagement of the applicant.
- ii) Considering the 11 years of continuous of service, the respondent may be directed to reengage the applicant.
- iii) Direct the respondents to regularize the service of the applicant from the date of initial appointment.

(iv) Direct the respondents to sanction and disburse all consequential benefits with effect from the date of initiation of appointment, which he is entitle under law."

3. Mr. Pattnaik, Ld. Counsel for the applicant submitted that due to non- consideration of the case of the applicant for the aforesaid relief as claimed by him, the applicant submitted representations dated 03.09.2014 followed by a reminder dated 14.01.2015 and the last representation dated 20.07.2015 (Annexure-A/11 series) before the Respondent No.2. It has further been submitted that till date no response has been received by the applicant on his representations. Hence, the applicant has filed this O.A. with the prayer as aforesaid.

4. Since the representations submitted by the applicant are stated to be pending, without entering into the merit of this case, we dispose of this O.A at the stage of admission by directing Respondent No.2 to consider the representations dated 03.09.2014 followed by a reminder dated 14.01.2015 and the last representation dated 20.07.2015 (Annexure-A/11 series), if the same are still pending, as per the extant Rule and communicate the result thereof to the applicant by way of a reasoned/speaking order within a period of 02 (two) months from the date of receipt of copy of this order. If, after such consideration it is found that the applicant is entitled to the relief claimed by him then the same may be extended to him within a further period of 03 (three) months from such consideration. Though we have not expressed any opinion on the merit of the matter, we make it clear that all the points raised in the representations will be kept open for the Respondents to consider the same as per rules, regulations and law in force. However, it is made clear that if in the meantime the said representations have already been disposed of then the result of the same be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order.

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

W.LL

6. As we have issued the above direction without going into the merit of this matter, the question of considering the M.A. No.1013/15 for condonation of delay does not arise. Accordingly, M.A. No.1013/15 is also disposed of.

7. On the prayer made by Mr. S. Patnaik, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No.2 by Speed Post for which Mr. Patnaik undertakes to file the postal requisites by 28.03.2016.

  
(R.C.MISRA)  
MEMBER (A)

  
(A.K.PATNAIK)  
MEMBER(J)

K.B