

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00990 of 2015
Cuttack, this the 20th day of May, 2016

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

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Narendra Kumar Guru, aged about 39 years, S/O Krushna Chandra Guru, Vill/PO. Lathipada, Via-Mandhatpur, Dist. Nayagarh presently working as GDSBPM, Baulasahi B.O. in account with Gadipada S.O. under Nayagarh H.O.

...Applicant

(Advocates: M/s. D.K. Mohanty, S.K. Nayak)

VERSUS

Union of India Represented through its

1. Director General of Posts, Ministry of Communications, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.
2. The Chief Postmaster General, Odisha Circle, Bhubaneswar, Dist.- Khurda, PIN-751001.
3. Director Postal Services,(HQ), O/o CPMG, Odisha Circle, Bhubaneswar.
4. Sr. Superintendent of Post Offices, Puri Division, Puri.

... Respondents

(Advocate: Mr. C.M. Singh)

ORDER (ORAL)

R.C. MISRA, MEMBER (A)

Heard Mr. D.K. Mohanty, Ld. Counsel appearing for the applicant and Mr. C.M. Singh, Ld. ACGSC appearing for the Respondents on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. The applicant is presently working as GDSBPM, Baulasahi B.O. in account with Gadipada S.O. under Nayagarh H.O. He has moved this Tribunal in this O.A. for quashing the orders dated 07.09.2012 and 16.07.2013 under Annexure-A/5 series and for a direction to be issued to the Respondents to extend him the benefit of counting past service towards seniority of pay protection.

3. It is needless to mention that the applicant had submitted a representation 18.12.2012 (Annexure-A/4) ventilating his grievance to the Sr. Supdt. of Post Offices(SSPO), Puri Division, requesting him for corret fixation of TRCA and seniority which has been turned down vide Annexure-A/5 series dated



07.09.12 & 16.07.13, wherein, it has been mentioned that his request having been considered by the competent authority the same has not been acceded to.

4. During the course of hearing on admission Mr. Mohanty contended that the impugned orders at Annexure-A/5 series by virtue of which applicant's request has been turned down do not disclose the reasons of such rejection and therefore the orders so passed is bald and cryptic. However, applicant in the meantime, has preferred a further representation dated 18.08.2013 (Annexure-A/6 series) to the Director Postal Services(HQ) (Respondent No.3) who is the next higher authority to the SSPO. Since he did receive any response thereto, he has further preferred a representation dated 17.06.2014 to the the Chief Postmaster General, Odisha Circle, Bhubaneswar (Respondent No.2) and since he did not receive any reply, he has moved this Tribunal in the present O.A.


5. On the other hand, Mr. C.M. Singh, Ld. ACGSC submitted that he has no instructions instantly with regard to the fate of the representations filed before the Director Postal Services(HQ) (Respondent No.3) or the Chief Postmaster General, Odisha Circle, Bhubaneswar (Respondent No.2) as the case may be. Mr. Mohanty submitted that he will be satisfied if a direction is issued to the Chief Postmaster General, Odisha Circle, Bhubaneswar (Respondent No.2) to consider and dispose of the present representation dated 17.06.2014 in accordance with Rules and pass reasoned and speaking order thereon.

6. In view of the above, at this stage, without expressing any opinion on the merit of the matter, I would direct the Chief Postmaster General, Odisha Circle, Bhubaneswar (Respondent No.2) to dispose of the applicant's representation in accordance with Rules and communicate a decision thereon to the applicant within a period of sixty days from the date of receipt of copy of this order.

7. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.



8. On the prayer made by Mr. D.K. Mohanty, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos.2 & 3 by Speed Post for which he undertakes to file the postal requisites by 23.05.2016.


(R.C.MISRA)
MEMBER(A)

K.B.