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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00063 OF 2016
Cuttack, this the 10th day of February, 2016

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

.....

Akshya Kumar Bhoi, aged about 33 years, S/o. Late Dijabar Bhoi of Village-Dharina, P.O.-Kosida, Via-Sompur, P.S.-Kishore Nagar, Dist.-Cuttack-754130.
.....Applicant

By the Advocate-M/s. S. Barik, D.K. Mohanty-A, P.C. Behera)

-VERSUS-

Union of India Represented through

1. Secretary, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.
2. Chief Postmaster General, Odisha Circle, At-CPMG Squire, P.O.-Bhubaneswar, G.P.O., Dist- Khurda, PIN-751001.
3. The Superintendent of Post Offices, Cuttack City Division, Cuttack, At-P.K. Parija Marg, Cantonment Road, P.O.-Buxi Bazar, Dist-Cuttack, PIN-753001.

..... Respondents

By the Advocate- Mr.A.K.Mohapatra

ORDER (Oral)

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

Heard Mr.S.Barik, learned counsel for the applicant and
Mr.A.K.Mohapatra, learned ACGSC on the question of admission



and perused the records. Mr.Mohapatra to file his power during the course of the day.

2. Applicant belongs to Scheduled Caste community. He had been engaged by the respondent no.3, i.e. Superintendent of Post Offices, Cuttack City Division through the Employment Exchange as a contingent paid Waterman cum Sweeper from 1.1.2006 to 30.11.2010 at GOP, Cuttack. He also has received wages for the said period. Subsequently, applicant continued to work as substitute under the same authority. It reveals from the record that substitute allowance for the period from 8.8.2012 to 30.9.2012 has been sanctioned and paid to the applicant. It is submitted by Mr.Barik that applicant has been continuing as substitute thereafter and has been receiving substitute allowance also. In the meantime, applicant received an information through the RTI Act about the number of vacancies of GDS Packer and MTS in the Cuttack City Division vide letter dated 15/21.20.2013 (A/6). Based upon this information, applicant made a representation dated 1.11.2013 to res.no.3, i.e., Senior Superintendent of Post Offices, Cuttack City Division to consider his appointment against the GDS or MTS as the case may be, available in Cuttack City Division.



Subsequently, he also made another representation dated 16.6.2015 to res.no.1. It is the case of the applicant that he is a person with disability and accordingly, District Medical Board, Cuttack has already issued a certificate in this regard vide A/2. According to Mr. Barik, representations preferred by the applicant are still pending with the authorities and no decision has yet been taken thereon. On the other hand, Mr. Mohapatra has no instant instructions regarding the status of representations as submitted by the applicant.

3. I have considered the rival submissions. At this stage, I am not inclined to express any opinion on the merit of the matter. It is also not clear under what rules applicant is making such a claim to the authorities. However, since representation dated 11.11.2013 is pending before res.no.3, in the fitness of things, it would be proper to direct the said authorities to consider and dispose of those representations in the light of the extant rules and instructions and communicate the decision thereon to the applicant within a period three months from the date of receipt of this order.

Ordered accordingly.



4. With the above observations and directions, the O.A. is disposed of at the stage of admission itself. No costs.

On the prayer made by the learned counsel, copy of this order along with paper book be sent to res.no.3 at the cost of the applicant for which Mr. Barik to file the postal requisites by 11.2.2016.

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



(R.C. MISRA)
MEMBER (A)