

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00225 of 2016
Cuttack, this the 29th day of April, 2016

CORAM
HON'BLE SHRI A.K. PATNAIK, MEMBER (JUDL.)

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Madhusmita Panda,
aged about 38 years,
W/o Sudhir Kumar Panda,
At- Plot No. TS 3/193,
Mancheswar Industrial Estate,
PO- Rasulgarh, Bhubaneswar,
Dist- Khurda.

...Applicant

(Advocates: M/s. B.B.Mohanty, S. Samantray, B.Tripathy)

VERSUS

Union of India Represented through

1. Secretary,
Ministry of Home Affairs,
At- 2/A, Man Singh Road,
New Delhi-110011.
2. Registrar General and Census Commissioner,
India, Ministry of Home Affairs,
At- 2/A, Man Singh Road,
New Delhi-110011.
3. Director of Census Operations,
Odisha, At- Janapath, Unit-IX,
Bhubaneswar- 751022,
Dist- Khurda.

... Respondents

(Advocate: Ms. S. Mohapatra)

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ORDER (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. B.B.Mohanty, Ld. Counsel for the Applicant.

Mr. S.Behera, Ld. Sr. Central Govt. Panel Counsel, submitted that he has entrusted this case to Ms. S.Mohapatra, Ld. Addl. Central Govt. Standing Counsel.

2. The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 praying for the following relief:

“i) The O.A. be allowed.

ii) Necessary direction may be issued to the Respondents to consider the case of applicant for promotion against the vacant post of Senior Technical Assistant (Printing) retrospectively with effect from the availability of vacancies under the Director of Census Operation, Odisha forthwith or within a time to be stipulated by this Hon'ble Tribunal with all consequential service benefits.

iii) And any other order.....”

3. The applicant in this O.A. assails the inaction of the Respondents in considering her case for promotion to the post of Printing Inspector/Sr. Technical Assistant (Printing) notwithstanding the availability of the post as well as her eligibility. Mr. Mohanty, Ld. Counsel for the applicant, submitted that the applicant ventilating her grievance made a representation to Respondent No.3 on 22.11.2013 (Annexure-A/4), which has duly been forwarded to Respondent No.2 as per Annexure-A/5 dated 16.02.2015 with certain recommendation. He submitted that till date no response has been received from the said Respondent No.2 for which the applicant has filed this O.A.


4. In view of the aforesaid fact that the applicant's representation has been duly forwarded to Respondent No.2 for taking action and the same is

Idle

stated to be pending, without going into the merit of the matter, I dispose of this O.A. with direction to the Respondent No.2 to consider and dispose of the said representation, if the same is still pending, and pass a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order. Though, I have not gone into the merit of the matter, all the points raised by the applicant in his representation are kept open for the Respondent No.2 to consider the same as per rules and regulations. I make it clear that if after such consideration the applicant is found to be entitled to the relief claimed by her then expeditious steps be taken within a further period of three months to grant the said benefit to her. If in the meantime, the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks.

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

6. On the prayer made by Mr. Mohanty, 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 he undertakes to file the postal requisites by 01.05.2016.


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

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