

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O.A. No. 260/00240 of 2016

Cuttack this the 6th Day of January, 2017.

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

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Tapas Kumar Barik,
aged about 23 years,
Son of Brundaban Barik,
Vill/P.O. Bijayanagar,
P.S. Mohakalapada,
Dist. Kendrapara

..... Applicant.

By the Advocate(s)-M/s. S. Ray, S.C. Das, D.S. Ray.

-VERSUS-

- 1) Union of India, Represented through Secretary, Department of Postal India, At-Dak Bhawan, New Delhi.
- 2) Post Master General, Head Post Office, Orissa, At-P.M.G. Square, Bhubaneswar, Dist. Khurda.
- 3) Asst. Superintendent of Post Offices, Kendrapara Sub-Division, At/P.O./P.S/Dist- Kendrapara.
- 4) Post Master, Bijayanagar Branch Post Office, At/P.O. Bijayanagar, P.S. Mohakalapada, Dist. Kendrapara.

..... Respondents

By the Advocate(s)-Mr.A. Pradhan.

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ORDER (ORAL)

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

Heard Mr. Sanjib Ray, Ld. Counsel for the Applicant, and Mr. A.Pradhan, 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

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Administrative Tribunals Act, 1985 praying for the following relief:

“(i) The applicant prays to issue necessary direction to the respondents to reinstate the applicant in his post which is remain vacant till today which he is eligible as per law;
ii) the applicant prays that to issue necessary direction to the respondents to sanction the arrear salary which the applicant is to be paid;
iii) any other order(s)

3. After hearing in extenso, Mr. Ray prayed liberty of this Tribunal to withdraw this O.A. and make a fresh representation to the Respondent No.3, i.e. Asst. Superintendent of Post Offices, Kendrapara Sub-Division, ventilating all his grievance within a period of two weeks from today and further prayed that the said Respondent No.3 may be directed to consider the said representation within a specific time frame.

4. I find that by allowing the above prayer of the Ld. Counsel for the applicant will not be prejudicial to either of the sides. Therefore, without going into the merit of the matter, I allow this O.A. to be withdrawn by granting liberty to the applicant to make a fresh representation to Respondent No.3 within a period of two weeks from today and if any such a representation is preferred within two weeks, i.e. by 24.01.2017, then the same may be considered as per rules and regulations in force and result be communicated to the applicant by a reasoned and speaking order within a period of three months from the date of receipt of copy of such representation. However, this order will not have any effect if the representation is preferred beyond the stipulated date, i.e. 24.01.2017.

5. Though, I have allowed this O.A. to be withdrawn to make a fresh representation and have not expressed any opinion on the merit of the matter

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still then I make it clear that if after consideration of the representation the applicant is found to be entitled to the relief claimed by him then expeditious steps be taken within a further period of three months from the date of such consideration to extend those benefits to the applicant.

6. With the aforesaid observation and direction, the O.A. is disposed of at the stage of admission itself. No costs.
7. Applicant is at liberty to attach a copy of this order along with his representation.

Valee
(A.K.PATNAIK)
MEMBER (J)

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