

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: CUTTACK BENCH:

CUTTACK

O.A. No. 260/00370 OF 2016

IN THE MATTER OF:

An application under Section 19 of the Administrative Tribunal's Act, 1985;

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IN THE MATTER OF:

Muralidhar Jaypuria, aged about 55 years, Son of
Duba Jaypuria, Village-Banmundadaffai, P.O.
Birmitrapur Sunda, P.S. Rourkela, Dist. Sundergarh, at
present working as Senior Telecom Office Assistant in
the office of General Manager, Telecom District,
Rourkela, Dist. Sundergarh.

... **APPLICANT**

Versus

1. Union of India, represented through the Chairman
-cum-Managing Director, Telecom, BSNL Corporate
Office, New Delhi.

Muralidhar Jaypuria

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2. The Chief General Manager, Telecom, BSNL, Odisha Circle, Bhubaneswar, BSNL Bhawan, Unit-II, Near I.G. Park, Bhubaneswar, Dist. Khurda.
3. The General Manager (Operation-cum-CPIO) Office of C.G.M., BSNL, Odisha Telecom Circle, Bhubaneswar, BSNL Bhawan, Near I.G. Park, Unit-II, Bhubaneswar, Dist. Khurda.
4. Asst. Director, Telecom, BSNL (R & E), Odisha Circle, Bhubaneswar, BSNL Bhawan, Near I.G. Park, Unit-II, Bhubaneswar, Dist. Khurda.
5. General Manager, Telecom District, BSNL Koraput, New Administrative Building, DNK Road, Near TV Centre, Koraput, P.O/Dist. Koraput-764020.
6. Assistant General Manager (HR), Odisha Telecom Circle, BSNL Bhavan, Near I.G. Park, Bhubaneswar, Unit-II, Dist. Khurda.

... **RESPONDENTS**

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Musculidhar Jayapuri

ORDER (ORAL)

Dated 25.05.2016

A.K.PATNAIK, MEMBER (J):

Heard Mr. G.N. Rout, Ld. Counsel appearing for the applicant and perused the materials placed on record.

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

- i) "The respondents be directed to consider the grievance of the applicant and declare the result of the Departmental Competitive Examination for promotion as Junior Telecom Officer(15% quota of vacancies) held on 15th and 16th May, 1999 in respect of the applicant and give promotion of the Post of JTO by extending the benefit of relaxation in keeping with the decision of the Hon'ble High Court of M.P. Passed in W.P. No. 10340/2013 and the confirmation of the Hon'ble Supreme Court in S.L.P. No. 13292/15 with effect from the similarly situated employees under the Department get the promotion;
- ii) Further the Respondents be directed to extend the all consequential benefits in facour of the applicant within a stipulated time;
- iii) To pass any other order(s) as this Hon'ble Tribunal deems fit and proper in considering the facts and circumstances of the Original Application".

3. Mr. Rout, Ld. Counsel submitted that due to non- consideration of the case of the applicant for the aforesaid relief, he submitted a representation dated 28.04.16 (Annexure-A/10) to Respondent No.2, but till date no communication has been made to him for which he has moved this Tribunal in this present O.A. with the aforesaid prayers.

4. Since the representation submitted by the applicant is stated to be pending with Respondent No.2, without entering into the merit of this case, we dispose of this O.A at the stage of admission itself by directing Respondent No.2 to consider the representation dated 28.04.16 (Annexure-A/10) , if the same is still pending before him, as per the extant Rules 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 a 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. However, it is made clear that if in the meantime, the said representation has 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.

6. On the prayer made by Mr. G.N. Rout, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos.2 & 6 by Speed Post for which he undertakes to file the postal requisites by 27.05.2016.


(R.C.MISRA)
MEMBER (A)


(A.K.PATNAIK)
MEMBER(J)

K.B.