IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH, CUTTACK

O.A. NO. 374 /2016

In the matter of:

An application under Section 19 of the

Administrative Tribunal Act, 1985.

And

In the matter of:

Duryodhan Sahoo aged about 62 years

S/o Krupasindhu Sahoo

At/P.O. Gourangapur, P.S. Ranpur

Dist. Nayagarh, Now working as

G.D.S. B.P.M. Gourangapur B.O. Gourangapur

....Applicant

-versus-

1.   Union of India,   represented through

Director General of Posts, Dak Bhawan,
New Delhi.

2.   Chief Post Master General, Odisha Circle,
At/P.O. Bhubaneswar, Dist. Khurda

3.   Senior Superintendent of Post Offices,
Puri Division, At/P.O/Dist. Puri

4.   Inspector of Post,
Nayagarh East Sub-Division,
At/P.O/Dist. Nayagarh.   ...Respondents

O R D E R (ORAL)
Dated 26.05.2016

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

Heard Dr. C.R.Mishra, Ld. Counsel for the Applicant, and Mr. D.K.Mallick, 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.
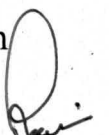
2.   This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 with the following prayer:-

"i) To set aside the advertisement in Notification No. Rectt/Misc.2016-2017 issued by respondent No. 3 only for the post of GDSBPM, Gourangapur B.O. in account with Rajranpur S.O. vide Annexure-A/3.

ii) To direct the Respondent No. 3 to consider the case of the applicant for regular appointment in the post of GDSBPM, Gourangapur B.O. in account with Rajranpur S.O. taking into account his experience in the said post.

iii) To allow the Original Application with cost."

3.   The case of the applicant is that he was initially appointed on 08.03.1976 as EDDA. While working as such, he was directed to remain in charge of GDS BPM, Gourangapur B.O. as per office order of Respondent No.4 w.e.f. 26.05.2010 in addition to his own duty on provisional basis. His grievance is that while the matter stood thus, instead of appointing him on regular basis in the post of GDS BPM,Gourangapur B.O., Respondent No.3 issued notification dated 02.05.2016 inviting applications from the intending candidates for filling up the said post of GDS BPM, Gourangapur B.O. His grievance is that he represented before Respondent No.3 vide representation dated 18.04.2016 (Annexure-A/4) but till date no communication has been

made to him for which he has moved this Tribunal in this present O.A. with the
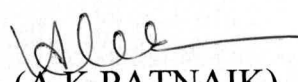
aforesaid prayers.

4.   Since the representations submitted by the applicant is stated to be

pending with Respondent No. 3, without entering into the merit of this case, we

dispose of this O.A at the stage of admission itself by directing Respondent No.

3 to consider the representation dated 18.04.2016 (Annexure-A/4), 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 and 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 02 months from such consideration. We make it clear that the applicant will

be allowed to continue in the present place of posting for a further period of

two weeks from the date of such communication. However, it is also 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 Dr. Mishra, Learned Counsel appearing for

the applicant, copy of this order, along with paper book, be sent to Respondent

Nos. 3 and 4 by Speed Post for which he undertakes to file the postal requisites

by 27.05.2016.

(R.C.MISRA)   (A.K.PATNAIK)
MEMBER (A)   MEMBER(J)

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