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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00527 OF 2016
Cuttack, this the 29th day of August, 2016

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

.....
A.Sunil Kumar Achary,
aged about 28 years,
S/o Late A.Lachhi Murty Achary,
Resident of Babanpur, PO/PS-Aska,
Dist- Ganjam.

.....Applicant

By the Advocate(s)-M/s B.Dash, P.K.Mohanty, N.C.Jena.

-Versus-

Union of India, represented through

1. Commissioner-cum-Secretary,
Ministry of Health & Family Welfare Department,
New Delhi.

2. Director,
Ministry of Health & Family Welfare Department,
Government of India,
Regional Leprosy Training and Research Institute,
Aska, At/PO- Aska, Dist- Ganjam.

3. Director General of Health Services,
(Lep. Division), Nirman Bhawan,
New Delhi-110108.

4. Deputy Director General, (Leprosy),
Dte. General of Health Services,
Nirman Bhawan, New Delhi-110108.

5. Regional Leprosy Training and Research Institute,
Aska, Ganjam,
At/PO- Aska, Dist- Ganjam.

.....Respondents

By the Advocate(s)- Mr. S.Behera

.....
S.Behera

O R D E R(Oral)

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

Heard Mr. B.Dash, Ld. Counsel appearing for the applicant, and Mr. S.Behera, Ld. Sr. Central Govt. Panel 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) The Respondents may be directed to delete the terms and conditions imposed on the applicant in his appointment letter/order vide Annexure-A/2.

(ii) And to pass such further order.....”

3. On 10.08.2016 when the matter came up for admission, Mr. S.Behera, Ld. Sr. CGPC, vehemently opposed the very maintainability of this O.A. by stating that it is hit by the provisions enumerated under Section 20 of the AT Act and Rules. Mr. Behera submitted that the applicant accepted the terms and conditions as stipulated in the order dated 09.03.2016 and also joined in the post of MTS and if at all he is aggrieved by certain terms and conditions, he should ventilate it before the appropriate authority.

4. Today, Mr. B.Dash, Ld. Counsel for the applicant, fairly submitted that the applicant has not ventilated his grievance before the appropriate authority and, accordingly, prayed liberty of this Tribunal to withdraw this O.A. and to ventilate his grievance by way of making a comprehensive representation to Respondent No.2.

5. In view of the submissions made by the Ld. Counsels for both the

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sides, without entering into the merit of the matter, I dispose of this O.A as withdrawn granting liberty to the applicant to make representation before Respondent No.2 within a period of two weeks from today and, if such a representation is preferred within two weeks from today then Respondent No.2 will consider the said representation as per the Rules and Regulations in force and communicate the result thereof to the applicant by way of a reasoned/speaking order within a period of eight weeks from the date of receipt of the representation. Applicant is also at liberty to annex a copy of this order along with his representation.

6. With the aforesaid observation and direction, the O.A. is disposed of being withdrawn.

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

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