

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.260/00530 of 2016

Cuttack this the 14th day of September, 2016

CORAM

HON'BLE SHRI A.K.PATNAIK, MEMBER(J)
HON'BLE SHRI R.C.MISRA, MEMBER(A)

Pabitra Kumar Jena, aged about 37 years, S/o. late Gouranga Jena, At-Madhupur, PO-Laxminarayanpur, PS- Pipili, Dist-Puri

By the Advocate(s)-M/s.S.B.Jena
S.Behera

-VERSUS-

Union of India represented through:

1. The Secretary cum Director General of Posts, Department of Posts, Government of India, Dak Bhawan, Sansad Marg, New Delhi-110 001
2. Chief Post Master General, Odisha Circle, Bhubaneswar, Dist-Khurda-751 001
3. The Senior Superintendent of Post Offices, Bhubaneswar Division, Bhubaneswar, Dist-Khurda-751 009
4. Assistant Superintendnt of Post Offices I/c., Bhubaneswar, North Division, Bhubaneeswar-I, District-Khurda

...Respondents

By the Advocate(s)- Mr.C.M.Singh

ORDER(Oral)

A.K.PATNAIK, MEMBER(J):

Heard Mr.S.B.Jena, learned counsel for the applicant and Mr.C.M.Singh, learned ACGSC for the respondents. On the last occasion, i.e., 4.8.2016, on being pointed that since this is a compassionate appointment matter filed by the son of the deceased employee, as to why mother of the applicant has not been arraigned as necessary party to the O.A., Mr.Jena had sought for time to carry out the amendment. On 7.9.2016, when

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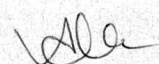
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the matter came up, on the prayer made by Mr.Jena, the matter was directed to be listed on this day, i.e., 14.9.2016. Today, Mr.Jena submitted that applicant's mother has long since expired and this is the reason, why she has not been arraigned as necessary party to the O.A.

2. In this O.A. applicant has prayed for direction to be issued to respondents to consider his case for appointment on compassionate ground in any Class-IV post.

3. Mr.Jena submitted that ventilating his grievance applicant has been submitting representation after representation, to various authorities in the Department, the last being dated 7.7.2015 to respondent no.2, i.e., CPMG, Odisha Circle, Bhubaneswar and since, no reply has yet been received, this O.A. has been filed by the applicant seeking for relief as mentioned above. Mr.Jena further submitted that applicant's grievance will more or less be redressed if a direction is issued to respondent no. 2 to consider the aforesaid representation and communicate a decision thereon to the applicant within a stipulated time frame.

4. Having regard to the submissions made by both the sides, without expressing any opinion on the merit of the matter, we would direct res.no.2 to consider the representation of the applicant dated 7.7.2015(A/10), if the same is still pending at his level, in the light of the extant rules and instructions and



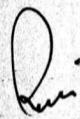
communicate the decision to the applicant within a period of three months from the date of receipt of this order.

5. With the above observation and direction, this O.A. is disposed of at the stage of. No costs.

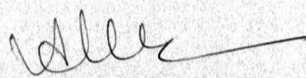
6. On the prayer made by the learned counsel, copy of this order along with paper book of O.A. be sent to res.no.2 at the cost of the applicant for which Mr.S.B.Jena undertakes to file the postal requisites by 15. 9.2016.

7. Free copy of this order be made over to learned counsel for both the sides.

(R.C.MISRA)
MEMBER(A)



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(A.K.PATNAIK)
MEMBER(J)