

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK**

O. A. NO. 260/00171 OF 2015  
Cuttack this the 9<sup>th</sup> day of April, 2015

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

Sri Niranjan Nayak,  
aged about 59 years,  
S/o. Late Ghanei Nayak,  
At-Nagpur, P.O-Balikuda,  
Dist-Jagatsinghpur,  
Presently working as Postal Assistant,  
Jagatsinghpur H.O., Dist-Jagatsinghpur

...Applicant  
(Advocates: M/s. D.P. Dhalsamant, N.M. Rout)

**VERSUS**

Union of India Represented through

1. Director General Department of Posts,  
Ministry of Communication,  
Govt. of India, Dak Bhawan,  
Sansad Marg, New Delhi-110001.
2. Chief Post Master General,  
Odisha Circle,  
Bhubaneswar, Dist-Khurda – 751001.
3. Director Postal Services,  
O/O- Chief Post Master General,  
Odisha Circle, Bhubaneswar,  
Dist-Khurda – 751001.
4. Superintendent of Post Offices,  
Cuttack South Division,  
At/PO/Dist-Cuttack-753001.
5. Secretary, Department of Personnel & Training,  
Ministry of Public Grievance and Pension,  
Govt. of India, New Delhi-110001.

... Respondents

(Advocate: Mr. B. Swain)

*B. Swain*

**ORDER (ORAL)**

**A.K.PATNAIK, MEMBER (J):**

Heard Mr. D.P. Dhalsamant, Learned Counsel for the Applicant and Mr. B. Swain, Ld. ACGSC appearing for the Respondents on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. The applicant, who is going to retire from service on attaining the age of superannuation on 30.04.2015 has filed this O.A. challenging the inaction/illegal action of the Respondents in not granting HSG-II & HSG-I cadre as has been granted to the similarly situated employee of the Department. Mr. Dhalsamant submitted that the authorities have extended the said benefits to many similarly situated persons as evident in the Memo dated 04.02.2015 (Annexure-A/1). He further submitted that there is no justification in depriving of the applicant for getting such benefits. On being questioned as to how this Tribunal will entertain this O.A. when the representation has been made only on 24.02.2015 and subsequent reminder on 09.03.2015, Mr. Dhalsamant extraneously submitted that as the applicant is going to retire on 30.04.2015 there is no other alternative remedy available to him other than approaching this Tribunal for a direction to the Respondents to consider the grievance of the applicant.

3. I am satisfied the arguments advanced by Mr. Dhalsamant and in view of the above, while deprecating the action of the Respondents-Department for not responding to the representations of the applicant, without entering into the merit of the matter, I dispose of this OA, at this admission stage with a direction to the Respondent No.2 to consider and

*Als*

dispose of the representation dated 24.02.2015 of the applicant followed by another representation dated 09.03.2015 if the same are still pending for consideration before him keeping in mind the benefits granted to other similarly situated employees as evident in the Memo dated 04.02.2015 (Annexure-A/1) and communicate the result there of to the applicant by way of a well reasoned order within a period of two weeks from the date of receipt of copy of this order. If after such consideration, the applicant is found to be entitled to the relief claimed by him, then expeditious steps be taken within a further period of 15 days from the date of such consideration to extend the benefit to the applicant. However, If, in the meantime, the said representation has already been disposed of, then the result thereof be communicated to the applicant within a period of 15 days from the date of receipt of a copy of this order.

6. On the prayer made by Mr. D.P. Dhalsamant, Ld. Counsel for the applicant, copy of this order, along with paper book, be sent to Respondent No.2 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 10.04.2015.

  
(A.K.PATNAIK)  
MEMBER(J)

K.B.