

3

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. No. 260/00644 OF 2016
Cuttack, this the 16th day of September, 2016

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

Sri Dilip Kumar Sethi, aged about 54 years, Son of Natha Sethi, permanent resident of At./P.O.- Bapuji Nagar, Plot No.-185, Bhubaneswar, Dist.-Khurda now working as Stenographer, Gr. II, MSME-DI, Vikas Sadan, College Square, Cuttack-753003.

...Applicant
(By the Advocate-M/s. S. Patnaik, B.K. Sahoo, B.R. Kar)

-VERSUS-

Union of India Represented through

1. Secretary, Micro, Small & Medium Enterprises, L-Block, Opp. Haldiram Connaught Circus, Barakhamba, Govt. of India, New Delhi-110001.
2. The Addl. Secretary & Development Commissioner, MSME, Govt. of India, Nirman Bhawan, 7th Floor, Maulana Azad Road, New Delhi-110108.
3. The Director, MSME-DI, Govt. of India, Vikash Sadan, College Square, Cuttack-753003.

...Respondents
By the Advocate- (Mr. M.R.Mohanty)

ORDER (Oral)

A. K.PATNAIK, MEMBER (J):

Heard Mr. S.Patnaik, Ld. Counsel for the Applicant, and Mr. M.R.Mohanty, 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. The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 praying for the following reliefs:

“ i) To direct the Respondents to consider the case of the applicant for promotion to the post of Stenographer, Gr. I with retrospective effect i.e. with effect from February, 2010.

V.A

ii) To pass such other order/direction as deem fit and proper to the facts and circumstances of the case."

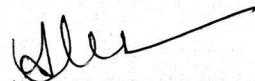
3. Although the applicant, who is working as Stenographer Grade-II, in this O.A. has not challenged any specific order, however, his grievance is that the departmental Respondents are not considering his case for promotion to the post of Stenographer Grade-I even if there is vacancy and he is eligible and also posses the requisite criteria. Mr. S.Pattnaik, Ld. Counsel for the applicant, submitted that the applicant ventilating his grievance made representation on 30.10.2015 to Respondent No.2 vide Annexure-A/10, which has already been forwarded vide letter dated 04.11.2015 under Annexure-A/11, but till date no communication has been received by the applicant and the said representation is still pending consideration.

4. In view of the above, since the representation of the applicant is stated to be pending consideration, 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 30.10.2015, if the same has been preferred and is still pending consideration, and communicate the result thereof to the applicant by way of a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. However, if in the meantime the said representation has already been considered and disposed of then the same may 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. Patnaik, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No. 2 by Speed Post for which he undertakes to file the postal requisites by 20.09.2016.


(A.K.PATNAIK)
MEMBER(J)

RK