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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00651 OF 2016
Cuttack, this the 20th day of September, 2016

CORAM
HON'BLE MR. R.C. MISRA, MEMBER(A)

Sri Purnachandra Das, aged about 43 years, Son of Sri Makar Charan Das, At-Baripalla, PO-Batira, Via-Rahama, Dist-Kendrapara-754140, now working as GDS BPM-cum-M.G. Khamara B.O.

.....Applicant

By the Advocate(s)-M/s. P.R.J. Dash, M.P.J. Ray

-Versus-

Union of India, represented through

1. Secretary-cum-Director General of Posts, Dak Bhawan, Sansad Marg, New Delhi-110116.
2. Chief Post Master General, Odisha Circle, At/Po-Bhubaneswar, Dist-Khurda-751001.
3. Superintendent of Post Offices, Cuttack South Division, At-P.K. Parija Marg, Po-Cuttack GPO, Dist-Cuttack-753001.
4. Inspector of Posts, Kujanga Sub-Division, At/Po.-Kujanga, Dist-Jagatsingpur-754141.

.....Respondents

By the Advocate(s)- Mr. S.B. Mohanty

O R D E R(Oral)

R.C. MISRA, MEMBER (A):

Heard Sri P.R.J. Dash, Ld. Counsel appearing for the Applicant and Sri S.B. Mohanty, 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. It is the case of the applicant that he was appointed as EDDA now called GDSMD of Batira B.O. in account with Rahama S.O. on 27.08.1996. While working as such, he was directed to manage the duty of GDS BPM of M.G. Khamar B.O. Accordingly, he started working in this Post Office from 12.11.2011. After retirement of GDS MD/MC of the same B.O. on 04.02.2013 the applicant has been working against three posts since 04.02.2013. He made several representations to Respondent No.3 for permanent absorption as GDS BPM of M.G. Khamar B.O. The authorities without responding to the representations have issued fresh notification dated 18.04.2016 inviting applications from the intending candidates for the post of GDS BPM of M.G. Khamar B.O. Mr. Dash



submitted that since the applicant has been discharging his duties from a long period of time in the Department, the Department should not come for publishing notification without first considering his representation.

3. On the other hand, Sri Mohanty has argued that the notification dated 18.04.2016 for the post of GDS BPM ~~which~~ is reserved for ST category whereas the applicant does not belongs to ST category and therefore, he cannot claim to be absorbed against this post.

4. However, the case of the applicant is that his representations have not been considered and are still pending before Superintendent of Post Offices, Cuttack South Division, Cuttack (Respondent No.3). I find from record that in the representation dated 26.04.2016 applicant has mentioned that he has worked for four and half years against a vacancy which is now sought to be filled up by public notification. At this stage I am not going into the merit of this matter. But since the applicant has been making several representations to Respondent No.3 which has not been responded to, at this stage I dispose of this O.A. with a direction to Respondent No.3 to consider and dispose of the representation dated 26.04.2016 expeditiously after taking into account all the points raised by the applicant in it, if the same is received and pending at his level with a reasoned and speaking order to be communicated to the applicant within 90 (ninety days) from the date of receipt of this order.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. On the prayer made by Sri P.R.J. Dash, Ld. Counsel appearing for the Applicant, copy of this order, along with paper book, be sent to Respondent No.3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 22.09.2016.

7. Free copy of this order be made over to Ld. Counsel appearing for both the sides.



(R.C.MISRA)
MEMBER(A)