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O.A. No. 173/2012

ORDER DATED 6th OF MARCH, 2012

S.K. Paikaryay.....Applicant

Vrs.

Union of India & OthersRespondents

Coram:

HON'BLE MR. C.R. MOHAPATRA, ADMINISTRATIVE MEMBER

&

HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER

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Heard Sri S.S. Das, Ld. Counsel appearing for the applicant and Sri S.K. Ojha, Ld. Standing Counsel appearing on notice for the Respondents/Rlys. on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. This Original application has been filed by the applicant with the following relief:-

“ A) Let the Respondent Authorities be directed to consider the case of the applicant for appointment under the Rehabilitation Assistance Scheme as referred to by the applicant vide Annexur-2 as a land loser, whose family has been affected by the Land Acquisition made for the Railway project namely Khurda Road – Balangir New B.G. Rail link Project;
B) Let the Respondent Authorities be further directed to issue necessary orders of appointment in favour of the applicant against any available vacancy commensurate to his qualification within a stipulated time frame, while disposing of his application made in this regard;”

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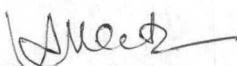
4 Sri Das, Ld. Counsel appearing for the applicant submits that in this regard, the applicant has already submitted representation addressed to Respondent No.1 vide Annexure-A/4. The said representation has also remained un answered. In the above background, Ld. Counsel for the applicant submitted that, a direction may be issued to Respondent No.1 to consider the case of the applicant for employment under the Rehabilitation Assistance Scheme as referred to by the applicant vide Annexur-A/2 as a land loser and dispose of the pending representation vide Annexure-A/4 with a speaking order within a stipulated period with intimation to the applicant.

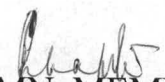
3. Having regard to the submissions made and as agreed to by the Ld. Counsel for the parties, without going into the merit of the case, Respondent No.1 is hereby directed to consider and dispose of the pending representation vide Annexure-A/4 as per Rules/Circular with a reasoned order and communicate its decision to the applicant within a period of three months from the date of receipt of copy of this order.

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

5. Send copies of this order along with copies of the paper Books to Respondent Nos.2 & 3 at the cost of the applicant for compliance and free copies of this order be made over to the Ld. Counsel for the parties.

6. Sri Das, Ld. Counsel appearing for the applicant undertakes to deposit the postal requisites by tomorrow i.e., on 7.3.12.


JUDL. MEMBER


ADMN. MEMBER