

3

O.A. No. 226 of 2012

Prasanta Nanda.....Applicant
Vs
Union of India & Ors.....Respondents

Order dated: 19.03.2012

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (Admn.)
&
Hon'ble Shri A. K. Patnaik, Member(Judl.)

Heard Mr. L. Pradhan, Ld. Counsel for the applicant and Mr. S.Barik, Ld. Additional Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served.

2. By filing this O.A. the applicant has sought for the following relief:

- " i. To direct the respondents to give appointment to the applicant under compassionate ground as the applicant has secured/awarded 54 destitute points (Annexure-5) but the respondents have given 35 points instead of 54 points in the first chance merit list dt. 13.08.2009 (Annexure-7) for which the applicant was in Sl. No. 12 in the said list.
- ii. To admit the Original Application and call for the records.
- iii. To pass such other order...."



4

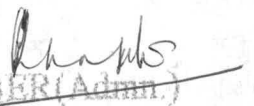
3. At the outset, it is submitted by the Ld. Counsel for the applicant that though the applicant has preferred a representation vide Annexure-9 dated 10.02.2012 ventilating his grievance, the same is still pending consideration.

4. Since the representation of the applicant as at Annexure-9 is pending with Respondent No.2, we, at this stage, without entering into the merit of the case, deem it proper to send the case before the competent authority to take a decision first on the pending representation. As agreed to by the Ld. Counsel for the applicant, we direct Respondent No. 2 to consider the pending representation dated 10.02.2012 as at under Annexure-9 taking into account the provisions of the ^{Memo} DoP&T dated 05.05.2003, by which the applicant's case can be considered for three times, and pass a reasoned order within 60 days from the date of receipt of copy of this order.

5. With the above observation and direction, the O.A. stands disposed of.

6. Send copy of this order, along with copy of the O.A., to Respondent No. 2 and free copies of this order be handed over to the Ld. Counsel for the applicant.


MEMBER(Judl.)


MEMBER(Admin.)