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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O. A. NO. 271 OF 2012

Cuttack the 29<sup>th</sup> day of January, 2013

CORAM

**HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER**  
**HON'BLE MR. R. C. MISRA, ADMINISTRATIVE MEMBER**

Umesh Chandra,  
aged about 59 years,  
Son of Late S. Vishwakarma,  
Deputy Welfare Commissioner,  
Bhubaneswar region,  
Barbil, Dist-Keonjhar.

...Applicant

(Advocates: M/s- D.N. Pattnaik, S.K. Mohapatra, B.B. Baisakh )

VERSUS

Union of India Represented through

1. Secretary Govt. of India,  
Ministry of Labour & Employment,  
Shrama Shakti Bhawan,  
Rafi Marg, New Delhi- 110 001.
2. Chief labour Commissioner (C ),  
Ministry of Labour & Employment,  
Shrama Shakti Bhawan,  
Rafi Marg, New Delhi- 110 001.
3. Dy. Chief Labour Commissioner (C ),  
Mumbai, Shrama Raksha Bhawan,  
First Floor, Sheo Shruti Road,  
Eastern Express Highway,  
Sion, Mumbai-400022.
4. Dy. Chief Labour Commissioner (C ),  
O/o. The Chief Labour Commissioner (C ),  
Shrama Shakti Bhawan,  
Rafi Marg, New Delhi- 110 001.

... Respondents

( Advocate: Mr. P.R.J. Dash )

*Alleg*

ORDER(Oral)

**A.K. PATNAIK, JUDICIAL MEMBER**

It has been submitted by Mr. D.N. Patnaik, Learned Counsel for the Applicant that in the meantime the applicant ~~has~~ retired from service. In this O.A. his prayer is to quash the Office Memorandum dated 07.09.2011 (Annexure-A/3) and to direct the Respondents to up grade the grading given in his ACRs/CCRs from Good to Very Good and to consider his case for promotion to Grade III as per his seniority. Respondents have filed their counter. This matter has been listed today for hearing and at the outset Mr. Patnaik submitted that at this stage he will be satisfied if this OA is disposed of giving liberty to the applicant to make an exhaustive representation to the Respondent No.1 and Respondent No.1 is directed to consider the same and communicate the result thereof to the applicant in a well reasoned order. We do not feel that any injustice would be caused if the above prayer of the applicant is allowed. Hence, after hearing Mr. D.N.Patnaik, Learned Counsel for the Applicant and Mr.P.R.J.Dash, Learned Additional CGSC appearing for the Respondents, without expressing any opinion on the merit of this matter this OA is disposed of with direction to the Respondent No.1 that in case the applicant makes a representation within a period of fifteen days hence, on receipt of which the same should be considered and result thereof be communicated to the applicant in a well reasoned order within a period of 60(sixty) days from the date of receipt of such representation. There shall be no order as to costs.

  
(R.C. MISRA)  
ADMN. MEMBER

  
(A.K. PATNAIK)  
JUDICIAL MEMBER