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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

O.A. No. 508 of 2012
Cuttack, this the 6th day of July, 2012

Sudam BeheraApplicant
-Versus-
UOI & OrsRespondents

ORDER

Coram:

The Hon'ble Mr.C.R.Mohapatra, Member (Admn.)
And
The Hon'ble Mr.A.K.Patnaik, Member (Judl.)

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Applicant, at present working as Goods Guard under the Station Manager, East Coast Railway, Sambalpur Railway Station, At/Po/Dist.Sambalpur, has filed this OA praying to quash the letter under Annexure-A/4 dated 08.06.2012 and to direct the Respondents to promote him to the post of Section Controller in pursuance of the advertisement dated 27.12.2010 (Annexure-A/1). By way of ad interim measure, he has sought to stay the operation of the order under Annexure-A/4 dated 08.06.2012.

In the letter under Annexure-A/4, dated 08-06-2012, Respondents cancelled the entire selection conducted for formation of panel of 05 posts (UR-04, SC-01) for


3 promotion to the post of Section Controller against 75% DPQ in Operations Department of SBP Division with reference to the notification dated 27.12.2010 due to procedural lapses.

Heard Mr. B.S.Tripathy, Learned Counsel for the Applicant and Mr. Trilochan Rath, Learned Standing Counsel appearing for the Railway and perused the documents.

It is clear from the letter under Annexure-A/4 that the selection has already been cancelled. In service jurisprudence option is available to every employee to seek redressal by way of making representation against any order adversial to an employee. We find that though such option was available to the applicant, without exhausting the remedy available to him he has approached this Tribunal. No plausible explanation has been offered for approaching this Tribunal without availing of the remedy available to him. Hence, we are not inclined to admit this OA and, therefore, as requested by Learned Counsel for the Applicant seven days time is allowed to the applicant to make representation against the said order under Annexure-A/4 and the authority

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to whom such representation would be addressed by the Applicant is directed to consider and dispose of the same in a reasoned order within a period of sixty days of receipt of such representation and communicate the same to the Applicant. Accordingly, this OA stands disposed of at the admission stage.


Member (Judicial)


Member (Admin.)