

8
Smt.P.Mohanty-Vrs-UOI & Ors

ORDER Sl.No.8

MA No.393/13

OA No.550/12

ORDER dated 16th July, 20013.

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)

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

.....

Respondents by filing MA No. 393 of 2013 on 10th June, 2013 have sought to dismiss the OA which has already been disposed of vide order dated 25th July, 2012 directing the Respondent No.2 "to consider the pending representation vide Annexure-A/7 dated 15.11.2011 in terms of DOP&T OM No.14014/19/2002-Estt.(D) dated 05.05.2011 and such consideration should be given against two more recruitment year vacancies. The result of such consideration shall be communicated to the applicant with a reasoned order as expeditiously as possible i.e. after consideration by the CRC" on the ground that that by the time the OA was disposed of on 25th July, 2012 the representations dated 15.11.2011 (Annexure-

Alees

A/7) was already disposed of and communicated to the applicant vide letter dated 22/23.11.2011.

2. We have heard Mr.D.K.Behera, Learned Additional CGSC appearing for the Respondents and Mr.K.C.Kanungo, Learned Counsel appearing for the Applicant and perused the records.

3. On being asked, Mr.Behera, Learned Additional CGSC appearing for the Respondents was not able to convince on which provision of Rule or Law an OA which has already been **disposed** of can be **dismissed** once again in a MA that too filed near about one year after the disposal of the OA. If according to the Respondents on the date of the direction in the OA the representation of the applicant was already disposed of and communicated, there would have been no wrong on the part of the Respondents to intimate such fact to the Applicant by once again communicating the order of the competent authority. Having not done so rather seeking dismissal of the OA which



10

3

MA No.393/13

disposed of, *l*
has already been ~~dismissed~~ in MA that too filed after near about
one year of the disposal of the OA is deprecated and MA filed
by the Respondents is held to be not maintainable and is
accordingly dismissed.

Deni
Member (Admn.)

Alauz
Member (Judl.)