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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

OA No. 776 of 2012

P.K.Mohanty Applicant
-Vs-
Union of India & Ors. Respondents
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Order dated 17th October, 2012.

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

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The case of the Applicant is that he is a matriculate and was selected and appointed to the post of EDDA provisionally in the year 1998 and subsequently was selected and appointed on regular basis as EDDA Anuri BO w.e.f. 25.10.1999. After the superannuation of the permanent GDSBPM the applicant has been working in the said post (GDSBPM, Anuri BO) in addition to his own duty as GDSMD w.e.f. 09.07.2010 and the said post office is functioning in the house provided by the applicant. Further case of the Applicant is that he has already given his willingness to continue on regular basis as GDSBPM, Anuri and in terms of the existing instruction of the DGP&T the Respondents should have considered the case of the applicant for appointment in the post of GDSBPM, Anuri BO before issuing the notification at Annexure-A/4 inviting application for filling up of the said post by the outsider. Hence by filing the instant OA the applicant has sought to quash the notification at Annexure-A/4 and direct the Respondents to allow him to continue in the post of

GDSBPM at Aunri BO on regular basis. Copy of this OA has been served on Mr.U.B.Mohapatra, Learned SSC for the Union of India. Heard. Perused the records. I find that the last date of receipt of application is over only on 09.10.2012 and, obviously final decision pursuant to the advertisement under Annexure-A/4 might not have been taken by now. In view of the above, before taking a final decision on the appointment to the post in question, Respondent No.4 before whom the representation of the applicant at Annexure-A/3 is stated to be pending needs to take a decision on Annexure-A/3 and communicate the same to the applicant within a reasonable period preferable within a period of thirty days from the date of communication and till then status quo as of date in so far as continuance of the applicant in the post in question needs to be maintained. Ordered accordingly.

2. With the aforesaid observation and direction this OA stands disposed of at this admission stage. Copy of this order along with OA be sent to the Respondent No.4 for compliance.


(A.K.Patnaik)
Member (Judl.)