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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO.1030 of 2012
Cuttack this the 10th day of December, 2013

CORAM
HON'BLE SHRI A.K.PATNAIK, MEMBER(J)

1. Pramod Kumar Sahu
Aged about 27 years
S/o. Raghunath Bauri Sahu
At-Pochilima
PO-Makarjhol
Via-Kanchuru
Dist-Ganjam
At present residing at C/o.Krishna Das
NAD Colony
Sunabeda
Dist-Koraput(Odisha)
2. Manisha Sahu,
W/o.late Raghunath Bauri Sahu
At-Pochilima
PO-Makarjhol
Via-Kanchuru
Dist-Ganjam
At present residing at C/o.Krishna Das
NAD Colony
Sunabeda

...Applicants

By the Advocate(s)-M/s.D.Routray
P.K.Sahoo
S.Das
S.Rout

-VERSUS-

Union of India represented through

1. The Secretary
Ministry of Defence
At-Union Secretariat Building
New Delhi
2. Head Quarter Chief Engineer (Navy)
At-Railway Station Road
Visakhapatnam-530 004(Andhra Pradesh)

Alex

3. Garrison Engineer(I)(P) Military Engineer Services
At-Railway Station Road
Visakhapatnam (Andhra Pradesh)

4. Garrison Engineer(Naval Depot)
Vizag-08(Andhra Pradesh)

...Respondents

By the Advocate(s)-Mr.P.R.J.Dash

ORDER

SHRI A.K.PATNAIK, MEMBER (J):

Heard Shri P.K.Sahoo, learned counsel for the applicant and Shri P.R.J.Dash, learned Addl.Central Govt. Standing Counsel, on whom a copy of the O.A. has been served, appearing on behalf of the Respondents. Misc.Application No.1169/12 seeking permission to jointly prosecute this O.A. is allowed and disposed of accordingly.

2. The instant O.A. has been filed under Section 19 of the A.T.Act, 1985, in which the applicant alleges that due to inaction of the Respondents, he is being deprived of getting an appointment under compassionate grounds.

3. Prima facie, it reveals that although the applicant No.1 in connection to employment assistance on compassionate appointment had appeared before a Board and produced all the required original documents at Visakhapatnam on 10.3.2002, but he did not receive any communication/response thereon. It is also not in dispute that till 2010 the applicant had only approached certain authorities, but not the Court of Law. Therefore, this O.A. seems to be grossly barred by limitation. Only in 2010 the applicant received a letter from the authorities stating therein that no appointment could be considered after three years from the date of death of the deceased Government employee. Thereafter certain

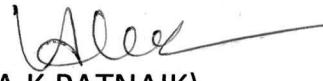


correspondences appear to have been made between the applicant(s) and Respondents. However, Shri Sahoo, learned counsel for the applicant, drawing my attention to the letter dated 15.2.2011 submitted that the said the said letter between Garrison Engineer and HQ Chief Engineer(Navy) goes to show that no intimation has been received by the applicant and the same is being asked for. Therefore, Shri Sahoo submitted that a direction may be issued to Respondent No.2 to intimate the applicant regarding the fate of the interview which was held at Visakhapatnam during the year 2002.

4. I think, allowing such a prayer will in no way be prejudicial to the interest of either of the parties. Accordingly, without entering into the merit of the matter, I direct Respondent No.2 to act upon the letter submitted to him dated 15.2.2011 and communicate the decision thereon to the applicant within a period of 30 days from the date of receipt of this order.

5. With the above observation and direction, this O.A. is disposed of the at the stage of admission itself. No costs.

Send a copy of this order to Respondent No.2 for compliance and free copy of this order be made over to the learned counsel for both the sides.


(A.K.PATNAIK)
MEMBER(J)