

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

**O. A. NO. 519 OF 2013
Cuttack, this the 21st day of August, 2013**

**CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (J)
HON'BLE MR. R.C. MISRA, MEMBER (A)**

.....
Ashok Kumar Sethi,
aged about 38 years,
Son of Late Bairagi Sethi,
Of Vill- Satakabad,Po. Biswanathpur,
PS. Balipatna, Dist. Khurda,
At Present working as Extra Departmental Mail Carrier,
At I.R.C. Village, PO.Bhubaneswar-15,
Dist. Khurda.

.....Applicant

Advocate(s) M/s. B.N. Mishra, S.B. Satpathy,

VERSUS

Union of India represented through

1. Secretary –cum-Director General of post,
Ministry of Communication,
Department of Post,
Dak Bhawan, Sansad Marg, New Delhi-1.
2. Senior Superintendent of Post Offices,
Bhubaneswar Division-751009,
Dist-Khurda.
3. The Assistant Superintendent of Post Offices,
Bhubaneswar North Sub-Division,
Bhubaneswar, Dist-Khurda,
4. The Post Master,
I.R.C. Village Post Office,
Bhubaneswar-751015,
Dist. Khurda.
5. Sri Dukhiram Sethi, S/o Benudhar Sethi,
At present working as Gramin Dak Sevak
in General Post Office, Bhubaneswar,
At/PO-Bhubaneswar, Dist-Khurda.
6. Sri Pramod Kumar Dalai, S/o Surendra Dalai,
At present working as Gramin Dak Sevak
in Patia Sub Post Office,
At/PO- Patia, Dist-Khurda.

Alka

7. Sri Trinath Mohanty, S/o Prafulla Kumar Mohanty,
At present working as Gramin Dak Sevak
in Dumduma Post Office,
At/PO- Dumduma, Dist-Khurda.

..... Respondents

Advocate(s)..... Ms. S. K. Patra

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O R D E R (ORAL)

MR. A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. B.N.Mishra, Ld. Counsel for the applicant, and Mr. S.K.Patra, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served.

2. The applicant, in this instant O.A., filed under Section 19 of the Administrative Tribunals Act, 1985, has prayed for a direction to the Respondents to regularize his service as Extra Departmental Delivery Agent (in short EDDA)/ Gramin Dak Sevak (in short G.D.S.). Mr. Mishra, Ld. Counsel for the applicant, submitted that the applicant has been working in the said post as casual labourer since 1991 to till date. The further case of the applicant is that he was appointed as ED Packer-cum-ED Mail Carrier in I.R.C. village Post Office as Casual Labourer since 1991 but in spite of completing more than 20 years as casual Labourer his case has not been considered for regularization. Mr. Mishra submitted that the applicant, in the meantime, has approached the concerned authorities several times. By drawing our attention to the representation made by the applicant on 20.04.2013 under Annexure-A/10 addressed to Sr. Superintendent of Post Offices, Bhubaneswar Division, Bhubaneswar (Respondent No.2), Mr. Mishra further contended that some of his juniors like Respondent Nos. 5, 6 and 7 have, in the meantime, been regularized by the concerned authorities and, therefore, it is a clear case of discrimination.

Alka

3. Mr. S.K.Patra, Ld. ACGSC, has no immediate instruction regarding any such representation made by the applicant and the status of the said representation.

4. In view of the above, we think it proper to leave the matter to the departmental authorities to first redress the grievance of the applicant. Therefore, without entering into the merit of this case, we dispose of this O.A. at the stage of admission itself by directing Sr. Superintendent of Post Offices, Bhubaneswar Division, Bhubaneswar (Respondent No.2), to consider the representation, if at all made by the applicant on 20.04.2013 and if the same is still pending, and dispose of the same by way of a reasoned and speaking order and communicate the result thereof to the applicant within 30 days from the date of receipt of copy of this order.

5. With the aforesaid observation and direction, O.A. stands disposed of at the stage of admission itself.

6. Copy of this order, along with paper book, be transmitted to Respondent Nos. 2 and 3 at the cost of the applicant, for which Mr. Mishra, Ld. Counsel for the applicant, undertakes to file the postal requisites by 23.08.2013.


MEMBER (Admn.)


MEMBER (Judl.)

RK