

3
**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. NO. 584 OF 2013

Cuttack, this the 29th day of August, 2013

CORAM

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

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

.....

S. Ranjukta Patro,
aged about 30 years,
D/o – S. Bijay Kumar Patro,
At/PO- Dadaralunda,
Via- Mujjagada,
PS. Bhanjanagar, Dist. Ganjam.

.....Applicant

Advocate(s) Mr. P.K.Ghosh

VERSUS

Union of India represented through

1. D. G. Post,
At-Dak Bhawan,
New Delhi-1.
2. Superintendent of Post Offices,
Aska Division, Aska,
Dist- Ganjam.
3. The Post Master General,
Berhampur Head Post Office,
At/PO/PS- Berhampur,
Dist. Ganjam.
4. Dutikrushana Naik,
Aged about 18 years,
S/o-Jalandhar Naik,
Vill/PO- Buduli, P.S.-Bhanjanagar,
Dist. Ganjam.

..... Respondents

Advocate(s)..... Mr. S. B. Jena

.....

O R D E R (ORAL)

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

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

Allen

2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985, challenging the cancellation of Notification No. B/ED-137 dated 17.03.2009 for selection to the post of ED BPM for Buduli B.O. under Mujjagada S.O. by alleging that the same is against the rules and established principles governing the field. Mr. Ghosh, Ld. Counsel for the applicant, submitted that in pursuance of the notification No. B/ED-137 dated 17.03.2009 the applicant had applied for the post of ED BPM and as there was a delay, the applicant met the Superintendent of Post Offices in the month of December 2009 to know the reasons of delay and she was ~~virtually~~^{by} told that the same will be finalized in appropriate time. Further case of the applicant is that thereafter on various occasions she met the officers including the said Supd. of Post Offices to know about the fate of the selection process and she was given to understand that from the total number of candidates one was found to be ineligible due to defect in his certificate. She was further assured that her position is at the top of the list and very soon she will get the order of appointment. Subsequently, when nothing came out, she met the SPO in the month of January, 2013 and demanded to disclose the details of the selection process and ^{at} ~~on~~ that point of time she was informed that notification dated 17.03.2009 contained some extra point related to landed property etc. which was not required as per revised rulings/circulars and, therefore, the entire selection process has been cancelled and a fresh notification would be issued very shortly for these 34 candidates, who had applied for the aforesaid post. Mr. Ghosh further submitted that thereafter the applicant applied under RTI in February, 2013. He submitted that the applicant got information from other sources that the said advertisement/notification has already been cancelled and another

At

person is going to be appointed to that post under compassionate appointment quota. Mr. Ghosh brought to our notice the representation dt. 29.03.2013 made by the applicant under Annexure-A/4 addressed to the Post Master General, Berhampur (Respondent No.3), and submitted that till date the applicant has not received any response against the said representation.

3. Mr. S.B.Jena, Ld. ACGSC, has no immediate instruction regarding fate of the representation if at all made by the applicant on 29.03.2013.

4. In view of the above, without entering into the merit of this case, we dispose of this O.A. at the stage of admission itself by directing Post Master General, Berhampur (Respondent No.3) to consider the representation, if at all made by the applicant on 29.03.2013 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 six weeks from the date of communication 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 No. 3 by Speed Post at the cost of the applicant, for which Mr. Ghosh, Ld. Counsel for the applicant, undertakes to file the postal requisites by 02.09.2013.

MEMBER (Admn.)

RK

MEMBER(Judl.)