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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. NO. 593 OF 2013

Cuttack, this the 3rd day of September, 2013

CORAM

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

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

.....

Anirudha Mishra,
aged about 58 years,
S/o – Late Sankarshan Mishra,
Working as Sub-Post Master under
Dhenkanal Division, Dhenkanal,
Permanent resident of
Vill./PO- Bhusal
Via/PS- Bhuban, Dist- Dhenkanal.

.....Applicant

Advocate(s) Mr. Dayanidhi Mishra

VERSUS

Union of India represented through

1. Secretary-cum-Director General of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110116.
2. Chief Post Master General,
Orissa Circle, Bhubaneswar,
Dist- Khurda.
3. Post Master General,
At/PO/Dist- Sambalpur.
4. Superintendent of Post Offices,
Dhenkanal Division,
Dhenkanal- 759001.

..... Respondents

Advocate(s)..... Mr. P.R.J.Dash

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ORDER (ORAL)

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

• Heard Mr. D. Mishra, Ld. Counsel for the applicant, and Mr. P.R.J.Dash, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served.

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2. Mr. D. Mishra, Ld. Counsel for the applicant, submitted that applicant's prayer for grant of Modified Assured Career Progression has been turned down by the Superintendent of Post Offices, Dhenkanal Division, Dhenkanal, i.e. Respondent No.4, vide order dated 17.07.2012, which has been placed at Annexure-4 of this O.A. We find that praying for the aforesaid benefit the applicant had made a representation to Respondent No.4 vide his representation dated 09.07.2012 and, in pursuance of the said representation, on 17.07.2012 the said order under Annexure-4 has been passed, which seems to be cryptic one as none of the grounds agitated by the applicant has been considered while rejecting his representation by Respondent No.4

3. Accordingly, on the above view of the matter, we quash the order under Annexure-4 at the stage of admission itself and remand the matter back to Respondent No. 4, i.e. Superintendent of Post Offices, Dhenkanal Division, Dhenkanal, for fresh consideration to the representation made by the applicant on 09.07.2012 as per extant rules and regulations and pass a reasoned and speaking order within 30 days from the date of communication of this order. We make it clear that if after such consideration, the applicant is found to be entitled to the said benefits then expeditious steps be taken for disbursement of the same within 60 days from the date of such consideration.

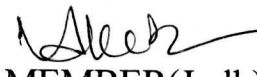
4. With the aforesaid observation and direction, O.A. stands disposed of at the stage of admission itself.

5. Copy of this order, along with paper book, be transmitted to Respondent Nos. 3 and 4 by Speed Post at the cost of the applicant, for



which Mr. Mishra, Ld. Counsel for the applicant, undertakes to file the postal requisites by 05.09.2013.


MEMBER (Admn.)


MEMBER (Judl.)

RK

