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OA No. 77 of 2013

ORDER dated 6th March, 2013.

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

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

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The relief sought by the Applicant in this Original Application is as under:

- “(i) That the impugned order of appointment issued in favour of Respondent No.6 appointing her as GDS BPM of Mirzapur BO vide Respondent No.4 letter No. SLP/BPM/Mirzapur/Trg./2013 dated 13.2.2013 filed under Annexure-A/5 may be quashed by declaring the same as illegal and arbitrary;
- (ii) The Respondent Nos. 1 to 4 may be directed to select the applicant as GDSBPM of Mirzapur BO as per her higher percentage of marks secured in the HSC examination and she may be posted fourth with to join in the said post.”

2. By way of ad interim measure, applicant has sought direction to the Respondent Nos.1 to 5 not to allow Respondent No.6 to join as GDSBPM of Mirzapur BO/the impugned order dated 13.2.2013 may not be acted upon and status quo in this respect be maintained.

3. Heard Mr.D.K.Mohanty, Learned Counsel for the Applicant and Mr.B.Mohapatra, Learned Additional CGSC appearing for the Respondents and perused the records.

4. On instruction Mr.B.Mohapatra, Learned Additional CGSC appearing for the Respondents submitted that till date Respondent No.6 has not joined the post in question. We find that

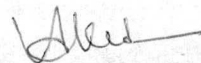
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ventilating his grievance the applicant submitted representation on 5.2.2013 before the Superintendent of Post Offices, Cuttack North Division, Cuttack (Respondent No.3) and according to the Learned Counsel for the Applicant no consideration has been given thereon till date. Since the grievance of the applicant is still under consideration before the competent authority i.e. Respondent No.3, without expressing any opinion on the merit of the matter we dispose of this OA at this admission stage with direction to the Respondent No.3 to consider and dispose of the said representation of the applicant dated 5.2.2013 in a reasoned order and communicate the same to the applicant within four weeks from the date of receipt of copy of this order. Till such time status quo in so far as filling up of the post of GDS BPM of Mirzapur BO shall be maintained.

5. Copy of this order along with paper book be transmitted to Respondent No.3 at the cost of the Applicant; for which Learned Counsel for the Applicant undertakes to furnish the postal requisite within a week.



(R.C.Misra)
Member (Admn.)



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