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**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK**

**O. A. No. 260/00746 OF 2013**  
**Cuttack, this the 6<sup>th</sup> day of December, 2016**

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

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Duryodhan Patel, aged about 46 years, S/o. Baikuntha Patel, resident of Vill-Ganthiabud, PO- H. Katapali, PS./Dist.- Jharsuguda.

..... Applicant

(By the Advocates - M/s. A.K. Nanda, G.N. Sahu)

-VERSUS-

**Union of India Represented through its**

1. General Manager, East Coast Railways, Rail Vihar, Chandrasekharpur, Bhubaneswar-751023, Dist. Khurda.
  2. Secretary, Revenue & Disaster Department, Secretariat Building, Bhubaneswar, Dist. Khurda.
  3. Collector, Jharsuguda, At/P.O./P.S./Dist.- Jharsuguda.
  4. Project Director, Collectorate, Jharsuguda, At/PO/PS/Dist- Jharsuguda.
  5. Assistant Engineer, S.E. Railway, Jharsuguda, At/P.O/P.S/Dist. Jharsuguda.
- ..... Respondents

(By the Advocate - Mr. J. Pal, Govt. Advocate for the State of Odisha, Mr. T. Rath for Railways )

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**ORDER (ORAL)**

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

Heard Mr. A.K. Nanda, Learned Counsel for the Applicant and Mr. T. Rath, Learned Standing Counsel appearing for Railways, Respondent Nos. 1 & 5 and Mr. J. Pal, learned Govt. Advocate appearing for the State of Odisha i.e. Respondent Nos. 2, 3 & 4, on whom a copy of this O.A. has already been served and perused the records.



2. This O.A. has been filed by the applicant during the year 2013 praying for a direction to the Departmental Respondents

“To provide employment to one of the family members of the applicant under Rehabilitation & Re-Settlement Scheme-2006 as per their promise made U/s.4(1) notification”.

3. This O.A. has been filed by the Applicant being aggrieved with the illegal inaction of the Respondents, challenging the Notification dt. 26.03.2008 under Annexure-A/1 for providing employment to one of the family members of the Applicant under Rehabilitation & Re-Settlement Scheme-2006.

4. On perusal of the records, I find that on 14.09.2013 the applicant had submitted his representation to the Respondent No.4, (vide Annexure-A/3) which was forwarded to the Respondent No.5 vide his letter No.8248 dated 25.09.2012 (vide Annexure A/4). Further, the applicant submitted a representation to the Respondent No.5 on 29.04.2013 (vide Annexure-A/5) for providing employment to his son Om Prakash Patel under the Rehabilitation & Re-Settlement Policy-2006. But till date no reply has been received by the Applicant.

5. Since the Counsel for the Applicant prayed for disposal of the said representation which was filed years ago and which is stated to be pending before the Respondent No.5, without going into the merit of the matter, I dispose of this O.A. at this admission stage with direction to Respondent No.5 to consider the aforesaid representation (Annexure-A/3) and (Annexure-A/5), if at all filed and is still pending consideration, as per rules and regulation governing the field as well




as keeping in mind the Notification issued by the Government of Odisha, Revenue & Disaster Department, Bhubaneswar dated 20.3.08 and communicate the result thereof to the applicant by way of a well reasoned order within a period of two months from the date of receipt of a copy of this order. Though, I have not expressed any opinion on the merit of the matter and all the points raised in the representation are kept open for the authorities to consider the same within a period of two months from the date of receipt of this order.

6. With the aforesaid observation and direction, the O.A. is disposed of at the stage of admission itself. No costs.

7. As prayed for by the Ld. Counsel for the applicant, a copy of this order along with paper book be communicated to the Respondent No.5 by Speed Post at the cost of the applicant for which Mr. Nanda undertakes to file the postal requisites by 9<sup>th</sup> December, 2016.

8. Free copy of this Order be made over to Ld. Counsels for both the sides.

  
(A.K.PATNAIK)  
MEMBER (J)