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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

**O.A. No.82 OF 2013
Cuttack, this the 26th day of February, 2013**

CORAM

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

Sus*ti*l Kumar Sahoo,
aged about 29 years,
(Working as Work Experience Teacher-
Computer Science),
Regional Institute of Education,
Bhubaneswar
S/o. Dhanurdhar Sahoo,
PO-Podamarai, P.S-Mahanga,
Dist-Cuttack.

.....Applicant in person

VERSUS

Union of India represented through

1. Secretary,
Ministry of HRD,
New Delhi.
2. Under Secretary,
Regional Institute of Education,
NCERT Sri Aurobindo Marg,
New Delhi-16.
3. The In charge,
Computer Application Centre,
Regional Institute of Education,
At-Sachibalaya Marg, Bhubaneswar,
Dist-Khurda.
4. Accounts Officer,
Regional Institute of Education,
At-Sachibalaya Marg, Bhubaneswar,
Dist-Khurda.
5. The Section Officer (Estt.),
Regional Institute of Education,
At-Sachibalaya Marg, Bhubaneswar,
Dist-Khurda.

..... Respondents

(By Advocate:)

AC

O R D E R (oral)

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

Heard Mr. Sushil Kumar Sahoo the applicant in person.

2. None is present for the Respondents in support of the strike call given by the CAT Bar Association for the brutal attack to one of the advocates of the High Court Bar.

3. This Original Application has been filed challenging the illegal and arbitrary action of the opposite parties in discontinuing the petitioner without any reason and without giving him an opportunity of hearing with a view to keep another person, in his place, on such temporary basis. Such illegality of the Authorities has prompted him to seek redressal of his grievance.

4. From the order dated 01.02.2013 (Annexure-A/3) it was observed that the engagement of the applicant on contractual basis made vide this Institute Order dated 05.12.2012 has been discontinued w.e.f. 31.01.2013, whereas in the order dated 05.12.2012 (Annexure-A/2) it was categorically mentioned that the applicant will continue for a period up to 30.04.2013 from the date of joining or till the regular incumbent reports for duty whichever is earlier with other terms and conditions given therein. From the order dated 01.02.2013 (Annexure-A/3) it is seen that no reason or hearing was given to the applicant and therefore the principles of natural justice was violated. But we find that the applicant has approached this Tribunal in the instant O.A. without exhausting other remedy, by way of making representation ventilating his grievance before the competent authority.

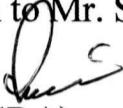
5. Mr. Sahoo submitted that he will be satisfied if he will give liberty to make a representation to the In charge, Computer Application Centre, Regional Institute of Education, Bhubaneswar and till then he is allowed to work in the post in question.

6. After hearing the applicant in person we perused the records.

7. In view of the above, we dispose of this O.A. by giving liberty to the applicant to make representation to Respondent No.3 within a period of 07 (Seven) days hence and if such a representation is made within a period of 07 days from today i.e., by 04th of March, 2013 then the Respondent No.3 will consider the same and communicate the result thereof by way of a reasoned/speaking order within a period of 06 (Six) weeks from the date of receipt of such representation. Till such time

Respondent No.3 is directed to allow the applicant to continue in his place of posting. No costs.

8. Send copy of this order along with paper books to Respondent No.3 by speed post (at the cost of the applicant) for compliance for which Mr. Susil Kumar Sahoo the applicant undertakes to deposit the postal requisite in course of the day. Free copy of this order be given to Mr. Susil Kumar Sahoo the applicant.


(R.C. MISRA)
MEMBER(ADMN.)


(A.K. PATNAIK)
MEMBER(JUDL.)

K.B.