

ORDER dated 18th March, 2013.

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

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

2. The Applicant, in this Original Application, has
challenged the order dated No.B/G-2(3)/Ch.III dated
10.01.2012 sent by Superintendent of Post Offices, Cuttack
North Division, Cuttack, Respondent No.3 informing the
applicant that the CRC did not find justification for approval
for appointment on compassionate ground as the family was
found not to be indigent.

3. As it appears, the Applicant made a
representation dated 11th April, 2012 to the Chief Postmaster
General, Odisha Circle, Bhubaneswar/Respondent No.2
stating therein that the finding of the CRC that the family of
the applicant is not in indigence is based on wrong report
since as per the report of the Revenue Authority, Radanga,

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Mangalpur, Jajpur, Odisha the family members are living in a mud house, there is no cultivating land is in his name and that the family members are coming under BPL. He has also enclosed the documents in support of the above contention along with the representation. It has been submitted by the Learned Counsel for the Applicant that the said representation is still pending as no decision thereon has been communicated to the applicant till date.

4. Since the representation of the applicant is still pending for consideration, I do not see any reason to keep this matter pending; especially when as per the DOP&T instruction dated 05.05.2003 as interpreted by this Tribunal in various cases in past the case of the applicant needs consideration two times more. Hence, without expressing any opinion on the merit of the matter this OA is disposed of at this admission stage with direction to the Respondent No.2 to consider the case of the applicant two times more by taking into consideration the points raised by the applicant in his representation dated 11th April 2012 and communicate the result thereof to the Applicant within a period of 90

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(ninety) days from the date of receipt of copy of this order.

There shall be no order as to costs.

5. Copy of this order along with paper book be transmitted to the Respondent No.2 at the cost of the applicant; for which Learned Counsel for the Applicant undertakes to furnish the postal requisite within two days hence.

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(A.K.Patnaik)
Member (Judicial)