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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No.966 OF 2013

Cuttack the 22nd day of April, 2014

CORAM

HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER

HON'BLE MR. R. C. MISRA, ADMINISTRATIVE MEMBER

Duryodhan Behera, IFS (Retd.)

aged about 62 years,

Son of Late Bhikari Charan Behera,

At-Sector-4, Plot No.107,

Niladri Vihar,

PO/PS-Chandrasekharapur,

Dist-Khurda.

...Applicant

(Advocates: M/s- A. Mishra, S. Soren)

VERSUS

Union of India Represented through

1. Secretary,
Ministry of Forest and Environment,
CGO Complex, Lodhi Road,
New Delhi-110003.
2. Union Public Service Commission,
Through Secretary,
Dholpur House,
New Delhi-110069.
3. State of Orissa represented through its
Special Secretary to G.A. Department,
Secretariat, Bhubaneswar, Dist-Khurda.
4. State of Orissa represented through its
Principal Secretary,
Forest & Environment Department,
Secretariat, Bhubaneswar, Dist-Khurda.
5. Additional Secretary,
Govt. of Orissa,
General Administration (AIS) Department,
Orissa Secretariat, Bhubaneswar.

... Respondents

(Advocate: Mr. S.B. Jena(R.1 & 2), Mr. G.C. Nayak (R.3, 4 & 5))



ORDER (ORAL)

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

Copy of this OA has been served on Sri S.B. Jena, Ld. Addl. CGSC appearing for the Respondent Nos.1 & 2 and Sri G.C. Nayak, Ld. Govt. Advocate appearing for Respondent Nos.3, 4 & 5. Registry is directed to serve notice, in terms of sub rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987 for onward transmission.

2. Heard Sri A. Mishra, Ld. Counsel appearing for the applicant, Sri S.B. Jena, Ld. Addl. CGSC appearing for the Respondent Nos.1 & 2 and Sri G.C. Nayak, Ld. Govt. Advocate appearing for Respondent Nos.3, 4 & 5.


3. The Applicant, a retired IFS Officer, has filed this instant O.A. under Section 19 of the Administrative Tribunals Act, 1985 praying for a direction to the Respondents, to fix his seniority in IFS cadre as per the Selection year 2003 by giving Allotment in the year 1998; and further to direct that the Junior Administrative Grade be given to the applicant in the year 2007 and the selection grade be fixed on 2011. Sri Mishra, Ld. Counsel for the applicant submitted that ventilating his grievance the applicant made representation on 11.06.2013 vide Annexure-A/6 before Respondent No.4. However, till date he has not received any communication from the said Respondent No. 4.

4. On the other hand, Sri S.B. Jena, Ld. Counsel appearing for the Respondent Nos.1 & 2 and Sri G.C. Nayak, Ld. Govt. Advocate appearing for Respondent Nos.3, 4 & 5, have no immediate instruction if any such representation has been preferred by the applicant addressed to Respondent No. 4 and the status thereof.

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5. Since it is the positive case of the applicant that the representation preferred by him is still pending, without entering into the merit of this case, we dispose of this O.A. at the stage of admission itself by directing Respondent No. 4 to consider the representation vide Annexuer-A/6, if the same is still pending, and dispose of the same by way of a well reasoned order and communicate the result thereof to the applicant within a period of 60 days from the date of receipt of copy of this order. However, we make it clear that if in the meantime said representation has already been disposed of then the result thereof be communicated to the applicant within two weeks from the date of receipt of copy of this order. No costs.

6. Copy of this order be transmitted to Respondent No.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 25.04.2014


(R.C.MISRA)
MEMBER(Admn.)


(A.K.PATNAIK)
MEMBER(Judl.)

K.B.