

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No. 10 of 2013

Cuttack, this the 10th day of January, 2013

CORAM

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

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

Sabita Biswal,
Aged about 31 years,
W/o.Bhagabana Gartia,
Resident of Gambhari,
PS. Khaprakhol,
Dist. Bolangir.

....Applicant

(By Advocate :M/s.B.Rout,P.Panda)

-VERSUS-

- 1 Chief Post Master General,
Odisha Circle,
Bhubaneswar-751001,
Dist. Khurda.
2. Superintendent of Post Offices,
Bolangir Division,
At/Po/Dist. Bolangir.
3. Baram Kumar Sahoo,
S/o.Purandar Sahoo,
Village/Po-Jogimunda,
PS-Patnagarh,
Dist. Bolangir.
4. Union of India represented through
Director General of Posts,
Dak Bhawan,
New Delhi.

.....Respondents

(By Advocate : Mr.P.R.J.Dash)

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O R D E R (oral)**A.K.PATNAIK, MEMBER (J):**

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It reveals from the record that on 07.06.2002 notification inviting application for the post in question was issued by the Superintendent of Post Offices, Bolangir Division, At/Po/Dist. Bolangir (Respondent No.2) and According to the Applicant he submitted her application before the Respondent No.3 (sic) on 07.06.2002. Respondent No.3 was selected and appointed to the post on 11.6.2005. Applicant submitted representation against his non selection and the selection of Respondent No.3 on 10.08.2005 and on 04.12.2008. Thereafter he approached this Tribunal in OA No. 353 of 2005 but as it reveals he withdrew the said OA on 12.04.2011. Therafter he made representation on 20.7.2012 and 29.12.2012 and alleging no action he has approached this Tribunal in the instant OA seeking direction to quash the selection and appointment of Respondent No.3 in the post of Gramin Dak Sevak BPM, Gambhari in account with Jogimunda SO made by the Respondent, to direct to the Respondent No.2 to consider the applicant as an eligible candidate and give her appointment in the aforesaid post for the ends of justice.

2. By filing MA No. 4 of 2013 he has sought direction to condone the delay in approaching this Tribunal on the ground that she could not approach this Tribunal within the time due to her illness.

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3. We have heard Mr.B.Rout, Learned Counsel appearing for the Applicant and Mr.P.R.J.Dash, Learned Additional Standing Counsel appearing for the Respondents and perused the records.

4. We find that except bald submission no document has been filed in support of her illness. Further we find that the explanation offered for not approaching this Tribunal after 2007 is not satisfactory. Hence by applying the law laid down by the Hon'ble Apex Court in the case of **D.C.S. Negi v. Union of India & Ors.**

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Decided on 07.03.2011 in SLP (C) No.7956/2011(CC No.3709/2011)

this OA is dismissed being barred by time. There shall be no order as to costs.



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



(A.K.Patnaik)
Member(Judicial)