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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00225 OF 2014
Cuttack, this the 15th day of April, 2014

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (Judl.)
HON'BLE MR. R.C. MISRA, MEMBER (Admn.)

.....
Ajaya Kumar Patra,
Aged about 38 years,
Son of Gobardhan Patra,
Residing AT/PO- Bhimpur,
Via-Rasalpur, Dist.- Balasore.

.....Applicant

Advocate(s)... M/s. S. Swain, B.R.Barik.

VERSUS

Union of India represented through

1. Secretary,
Ministry of Defence,
Sena Bhawan, New Delhi.
2. Director,
Integrated Test Range, (ITR),
At/PO- Chandipur, Dist- Balasore,
Odisha- 756025.
3. Collector,
Balasore,
AT/PO/PS/Dist- Balasore.

..... Respondents

Advocate(s)..... Mr. S.K.Patra (ACGSC for UOI),
Mr. G.C.Nayak (Govt. Advocate for the State of Odisha)

ORDER (ORAL)

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

Copies of this O.A. have been served on Mr. S.K.Patra, Ld. Addl. CGSC appearing for Respondent Nos. 1 and 2, as well as on Mr. G.C.Nayak, Ld. Govt. Advocate for the State of Orissa appearing for Respondent No.3, who accept notice for their respective Respondents in this OA. Registry is directed to serve notice, in terms of Sub rule 4 of Rule 11 of the CAT

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(Procedure) Rules, 1987 for onward transmission. Heard Mr. S. Swain, Learned Counsel for the Applicant, Mr. S.K.Patra, Ld. Addl. CGSC appearing for Respondent Nos. 1 and 2, and Mr. G.C.Nayak, Ld. Govt. Advocate for the State of Orissa appearing for Respondent No.3, and perused the materials placed on record.

2. The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 for a direction to Respondent No.2 to give him appointment in any post as per his qualification. The case of the applicant is that his land has been acquired by the Respondents' Department for expansion of Integrated Test Range at Chandipur. It is the case of the applicant that although he has made representation/grievance petition under Annexure-9 dated 04.03.2013 before Respondent No.2, the same has not yet been considered. He has also annexed, along with this O.A., a copy of the Joint Grievance Cell of Collector and S.P., Balasore, (Annexure-10) in support of his claim.


3. Mr. Patra, Ld. ACGSC, has fairly submitted that he has no immediate instruction as to whether any such representation, as claimed by the applicant, has really been submitted by him on 04.03.2013 and if so, the status thereof.

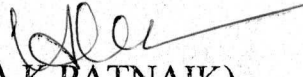
4. Be that as it may, since it is the positive case of the applicant that no decision has been communicated to him on his representation dated 04.03.2013, without entering into the merit of this matter, this OA is disposed of at this admission stage with direction to Respondent No.2 to consider and dispose of the representation stated to be preferred by the applicant on 04.03.2013 taking into account Annexure-10, copy of the Joint Grievance Cell of Collector and S.P., Balasore, and communicate the

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decision thereof, in a well-reasoned order to the applicant within a period of 60 (sixty) 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 a period of two weeks from the date of receipt of copy of this order. There shall be no order as to costs.

5. As prayed for by Mr. Swain, Ld Counsel for the applicant, copy of this order be sent to Respondent No. 2 by Speed Post, at his cost, for which he undertakes to furnish the postal requisite by 21.04.2014.


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


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

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