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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

**O. A. NO. 260/00301 OF 2014**  
Cuttack, this the 6<sup>th</sup> day of May, 2014

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

.....

Banka Bihari Moharana, aged about 41 years,  
S/o. Chakradhar Moharana, AT-Nakhaura,  
P.O.-Gopinathpur, P.S-Lingaraj, Dist-Khurda,  
At present continuing as Belder in  
the office of the Assistant Engineer,  
Bhubaneswar Central sub-Division No. 1,  
C.P.W.D., Bhubaneswar-12, Dist-Khurda.

.....Applicant

Advocate(s)..... M/s. R. Achrya, B. Barik, P.M. Rao.

**VERSUS**

Union of India represented through

1. Secretary to Government of India,  
Ministry of Urban Housing Development Department,  
Lodhi Road, New Delhi-1.
2. Director General (Works), C.P.W.D.,  
Nirman Bhawan, New Delhi-110 001
3. Additional Director General,  
Eastern Zone, C.P.W.D. 234/4 ,  
AJC Bose Road, Nizam Palace.  
Kolkata-20.
4. Chief Engineer (Civil),  
Central Public Works Department,  
Nirman Bhawan, Pokhariput  
Bhubaneswar, Dist- Khurda.
5. Superintendent Engineer (Civil),  
Central Public Works Department,  
Nirman Bhawan, Pokhariput  
Bhubaneswar, Dist- Khurda.
6. Executive Engineer (Civil),  
Central Public Works Department,  
Bhubaneswar Central Division No.2,  
Unit-8, Bhubaneswar-12.

..... Respondents

Advocate(s)..... S.B. Jena

*[Signature]*

## ORDER (ORAL)

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

Heard Mr. R.Acharya, Learned Counsel for the applicant, and Mr. S. B. Jena, Ld. Addl. CGSC appearing for the Respondents, and perused the materials placed on record.

2. The applicant, who was initially engaged as casual labourer and was granted temporary status w.e.f. 16.11.2004, has filed this Original Application under Section 19 of the Administrative Tribunals Act, 1985 praying for a direction to the Respondents to regularize his service in a permanent cadre with effect from his date of joining in any Group-D category and to grant all service benefit after regularization of service within a stipulated period. Mr. Acharya, Ld. Counsel for the applicant submitted that though the applicant has made representation on 15.11.2013 before Respondent Nos. 4 and 5 vide Annexure- 6 till date he has not received any response from the authorities.

3. Mr. S. B. Jena, Ld. ACGSC appearing for the Respondents, has no immediate instruction whether any such representations have been filed by the applicant, and if so, the status thereof.

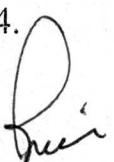
4. Taking into account the submissions made by Ld. Counsel for both the sides and the fact as stated by Ld. Counsel for the applicant that the representation of the applicant preferred as at Annexure-6 is still pending, without going into the merit of this case, we dispose of this O.A. directing Respondent No. 4 to consider the representation and pass a reasoned and speaking order under intimation to the applicant within a period of 60 days from the date of receipt of a copy of this order. We make it clear that if after

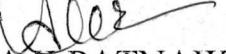


such consideration the applicant is found to be entitled to the benefits claimed by him then expeditious steps be taken preferably within a period of 30 days therefrom to grant the same to the applicant. If the aforesaid representation has already been considered and disposed of by the Respondents then a copy thereof be communicated to the applicant within a period of two weeks from the communication of the order.

5. With the above observation and direction, this O.A. is disposed of at the stage of admission itself.

6. As agreed to by Ld. Counsel for both the sides, copy of this O.A., along with the copy of this order, be transmitted to Respondent Nos. 4, 5 and 6 by Speed Post at the cost of the applicant, for which Mr. Acharya, Ld. Counsel for the applicant, undertakes to furnish the postal requisites by 08.05.2014.

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

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

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