

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

O.A.No. 260/000047/2014
Cuttack, this the 5th day of February, 2014

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

.....
Smt. Sujata Routray, aged about 43 years, D/o. Late Dhirendra Nath Routray, At/Po. Harianta, Via- Choudwar, Dist. Cuttack-754025, now working as GDSBPM Biralo B.O.

....Applicant
(Legal Practitioner:-M/s.P.K.Padhi, J.Mishra)

Versus

UNION OF INDIA REPRESENTED THROUGH-

1. The Secretary Cum Director General of Posts, Dak Bhawan, Sansad Marg, New Delhi-110 116.
2. Director of Postal Services (Hqrs), O/o Chief Post Master General, Odisha Circle, At/Po.Bhubaneswar, Dist. Khurda-751 001.
3. Superintendent of Post Offices, Cuttack South Division, At-P.K.Parija Marg, Po.Cuttack GPO, Dist. Cuttack-753 001.
4. Inspector of Post, Athagarh Sub-Division, At/PO- Athagarh, Dist-Cuttack-754029.

.....Respondents
(Legal practitioner: Mr. J.K.Khandayatray)

O R D E R

(ORAL)

A.K.PATNAIK, MEMBER (JUDICIAL):

Copy of this OA has been served on Mr. J.K.Khandayatray, Learned additional CGSC for the Union of India who accepts notice for the Respondents in this OA. Registry is directed to serve notice, in terms of sub rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987 for onward transmission. Heard Mr. P.K.Padhi, Learned Counsel for the Applicant and Mr. J.K.Khandayatray, Learned Additional CGSC appearing for the Respondents and perused the records.

2. The case of the applicant, in brief, is that after the death of her father the CRC approved the case of the applicant for giving posting in P.A. cadre and, after training, she was allowed to work on daily wage basis in P.A. cadre against leave vacancy under Athagarh Head Post Office by the Respondent No.3 vide his memo No. B/G-22/Ch.II dated 23.01.1998. It is

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further submitted that after three and half years of service in different spells, she was not given regular posting. However, on being offered, she accepted the job of GDSBPM of Bindhanima B.O. in November, 2004. While continuing as such, as per the direction of Respondent No.4, she took over the charge of GDS BPM, Biral B.O. w.e.f. 15.03.2010. When the post of GDSBPM of Harianta BO was likely to be vacant, she made a representation to Respondent No. 3 on 14.08.2013 praying for her transfer under limited transfer facility to the post of GDSBPM, Harianta B.O. in account with Choudwar S.O. under Cuttack South Division. But according to the Applicant, without taking/communicating any decision on the said representation, Respondent No.3 issued notification inviting application from general public for regular appointment to the said post of GDSBPM, Harianta in account with Choudwar SO on 31.12.2013 fixing last date of receipt of application to 30.1.2014. It is submitted that after this notification, the applicant has again represented before Respondent Nos. 3 and 2 on 08.01.2014 and 17.01.2014 respectively, which are still pending.

However, Mr. Khandayatray has fairly submitted that he has no immediate instruction whether any such representation was preferred by the applicant and if so the status thereof.

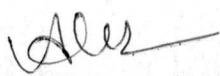
3. Be that as it may, I do not like to express any opinion on the merit of the matter, since it is the positive case of the Applicant that no reply has been received from the Respondent Nos. 2 and 3 on his representations till date, this OA is disposed of with direction to Respondent No.2 to consider the representation stated to have been made on 17.1.2014, if it is received and is still pending, as per the extant rules, and communicate the decision thereon in a well reasoned order to the applicant on or before 3rd

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March, 2014. In view of the above, Respondent No.3 is directed not to proceed with the selection in pursuance of the notification dated 31.12.2013 till 10th March, 2014. It is made clear that if the representation has already been disposed of in the meantime then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of a copy of this order.

4. In the result, with the aforesaid observation and direction this OA stands disposed of at this admission stage. There shall be no order as to costs.

5. As prayed for copy of this order be sent to Respondent Nos.2 & 3 by speed post at the cost of the applicant for which Learned Counsel for the applicant undertakes to furnish the postal requisite by 11.02.2014.


(A.K. Patnaik)
Member (Judicial)