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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00510 OF 2014
Cuttack, this the 19th day of August, 2014

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

.....
Pratap Rout,
Aged about.....years,
Son of Late Bhaskar Rout,
Presently residing At- Kanheipur, PO- C.R.R.I.,
PS- Madhupatna, Dist- Cuttack.

.....Applicant

Advocate(s)... M/s. P.K.Bhuyan, J.K.Pradhan

VERSUS

Union of India represented through

1. Secretary,
Department of Agricultural Research and Education,
Krushi Bhavan, Dr. Rajendra Prasad Road,
New Delhi-110001.
2. Secretary,
Indian Council of Agricultural Research,
Krishi Bhawan, New Delhi-110014.
3. Director,
Central Rice Research Institute,
Bidyadharpur, Cuttack- 753006.
4. Sri Bhagyadhar Pradhan,
S/o Late Karunakar Pradhan,
Presently working as Tech. Asst.,
Estate Management Section,
C.R.R.I., Cuttack.
5. Sri Bichitrananda Khatua,
S/o Late Jateswar Khatua,
Presently working as Skill Supporting Staff (SSS),
Audit & Accounts Section,
C.R.R.I., Cuttack.

..... Respondents

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

[Signature]

O R D E R (ORAL)

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

Heard Mr. P.K.Bhuyan, Learned Counsel for the Applicant, and Mr. S.B.Jena, Ld. Counsel appearing for Respondent Nos. 1, 2 and 3, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. Applicant by filing this O.A. has prayed for the following reliefs:

“...quash the order of the Respondent No.2 dated 04.10.2013 under Annexure-10 as illegal, being malafide one and the Hon’ble Tribunal may further be pleased to quash the appointment of Respondents No. 4 and 5 dt. 2.5.2005 and 2.4.2007 respectively under Annexure-8 as illegal, discriminatory one. Besides that, this Hon’ble Tribunal may further be pleased to direct the Respondents to give an employment to this applicant on compassionate ground w.e.f. 2.5.2006, when said Bidyadhar Pradhan was appointed on 2.5.2006.”

3. It is the case of the applicant that after the death of his father, who was working as Driver in C.R.R.I. Cuttack, on 28.06.1996, he applied for employment on compassionate ground on 18.12.1996. However, ignoring his seniority, Respondent No.3 appointed Respondent Nos. 4 and 5 in C.R.R.I. Cuttack on 2.5.2005 and 2.4.2007 respectively. Mr. Bhuyan, Ld. Counsel for the applicant, submitted that ventilating his grievance the applicant had made a representation dated 26.08.2013 vide Annexure-9 before Respondent No. 2. Consequently, the applicant has been intimated by the office of the ICAR, New Delhi, vide Annexure-10 as under:

“.....I am to say that the appointing authority in the instant case is Director, CRRI, Cuttack. Therefore the request has already been forwarded to CRRI, Cuttack for appropriate action at the Institute level. It is therefore, requested to pursue the matter with CRRI, Cuttack.”



Mr. Bhuyan further submitted that till date neither any action has been taken by Respondent No.3 (Director, CRRI, Cuttack) for providing employment to the applicant on compassionate ground nor any reply has been received by the applicant.

4. Mr. S.B.Jena, Ld. Counsel appearing for Respondent Nos. 1 to 3, submits that he has no immediate instruction regarding status of the representation.

5. Be that as it may, since it is the positive case of the applicant that no decision has been communicated to him by Respondent No.3 on the representation submitted vide Annexure-9, without entering into the merit of this matter, this O.A. is disposed of at this admission stage with direction to Respondent No.3 to consider the grievance of the applicant as referred to by him in his representation, if the same is still pending, and communicate the 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. No costs.

6. As agreed to by Ld. Counsel for both the sides, copy of this order, along with the paper book, be transmitted to Respondent No.3 by Speed Post at the cost of the applicant, for which Mr. Bhuyan, Ld. Counsel for the applicant, undertakes to furnish the postal requisites by 22.08.2014.


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