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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00569 OF 2014  
Cuttack this the 21<sup>st</sup> day of July, 2014

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

.....

Niranjan Sethy, aged about 58 years,  
Son of Late Chhunchi Sethy,  
Vill- Jagannathpur, Post- Chhoti,  
Ps- Indupur, Dist-Kendrapada-754214,  
Presently working as Asst. Account Officer (Offg),  
O/o Director of Accounts (Postal) Mahanadi Vihar,  
Po- Nayabazar, Cuttack- 753004.

...Applicant

(Advocates: M/s. P.K. Padhi, J.Mishra )

VERSUS

Union of India Represented through

1. Dy. Director General of P.A &F,  
Fourth Floor, Dak Bhawan, Sansad Marg,  
New Delhi-110 001.
2. Chief Post Master General,  
Odisha Circle, Bhubaneswar,  
Dist-Khurda-751001.
3. Director of Accounts (Postal),  
Mahanadi Vihar, Po- Nayabazar,  
Cuttack-753004.
4. Nirod Chandra Parija, Asst. Accounts Officer,  
O/o Director of Accounts (Postal),  
Mahanadi Vihar, Po- Nayabazar,  
Cuttack-753004.
5. Rabindranath Sahoo, Asst. Accounts Officer,  
O/o Director of Accounts (Postal),  
Mahanadi Vihar, Po- Nayabazar,  
Cuttack-753004.

... Respondents

(Advocate: Ms. S. Mohapatra )



**ORDER (ORAL)**

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

Heard Mr. P.K. Padhi, Learned Counsel for the Applicant, and Ms. S.Mohapatra, Ld. Addl. CGSC appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This Original Application has been filed by the applicant, who is working as Asst. Account Officer (Offg), challenging the promotion of private Respondent Nos. 4 and 5 on the ground that they are junior to him as per All India Eligibility List published vide Annexure-A/1 to this O.A. By filing this O.A. under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for his promotion to the cadre of Asst. Accounts Officer (AAO) w.e.f. the date, Resp. No. 4 has been promoted with all consequential benefits including back wages. Mr. Padhi, Ld. Counsel for the applicant, submitted that although the applicant has ventilated his grievance before Respondent No.1 by way of a representation dated 16.06.2014 vide Annexure-A/7 till date his grievance has not been redressed. Mr. Padhi further submitted that the grievance of the applicant may be redressed if a direction is issued to Respondent No. 1 to consider the representation within a specific time frame.


3. Ms. S.Mohapatra, Ld. Addl. CGSC appearing for the Respondents, has no immediate instruction, if any such representation has been preferred by the applicant and the status thereof.


4. Since it is the positive case of the applicant that the representation preferred by him is still pending, without entering into the merit of the matter, we dispose of this O.A. at the stage of admission itself



by directing Respondent No. 1 to consider the representation under Annexure-A/7 (if the same has been received and is still pending) and dispose of the same by way of a well reasoned order communicating the result thereof to the applicant within a period of four weeks from the date of receipt of copy of this order Till then, no promotion to the post, in question, will be effected.

5. As agreed to by the Ld. Counsel for both the sides, copy of this order, along with copy of the O.A., be transmitted to Respondent No. 1 by Speed Post and to Respondent No. 3 by Special Messenger at the cost of the applicant, for which Mr. Padhi, Ld. Counsel for the applicant, undertakes to file the postal requisites/cost by 23.07.2014.

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

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

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