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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/000073 OF 2014

Cuttack, this the 19th day of March, 2014

CORAM

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

HON'BLE MR. R.C. MISRA, MEMBER (A)

Sumanta Kumar Pradhan,

aged about 25 years, (DoB-28.01.1989)

S/o. Debendra Nath Pradhan,

Residing At- Chaka Balanga,

PO/PS- Balanga, District- Puri.

.....Applicant

Advocate(s)-M/s- A.Ch. Behera, B.K.Barik, R.K.Dash.

VERSUS

Union of India represented through

1. Director General of Posts,
Govt. of India, Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi.
2. Post Master General of Odisha,
Govt. of India, Department of Posts,
P.M.G. Square, Bhubaneswar, Dist-Khurda.
3. Sr. Superintendent of Post Offices,
Bhubaneswar Division,
Bhubaneswar,
Dist-Khurda-751009.

..... Respondents

Advocate(s)..... Mr. S.K. Patra

ORDER (ORAL)

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

Copy of this O.A. has been served on Mr. S.K.Patra, Ld. Addl.

Central Govt. Standing Counsel appearing for the Respondents, who accepts
notice for all the Respondents in this O.A. 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. A.C.Behera, Learned Counsel for the Applicant, and Mr. S.K.Patra, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, and perused the materials placed on record.

2. The case of the applicant in nutshell is that in pursuance of the notification dated 25.01.2012 for filling up of the post of GDS BPM of Nua Gopalpur Branch Office, for which he had also applied, only five candidates were called for the certificate verification. When none of the candidates could make any arrangement of the office room in the Village Nuagopalpur, the applicant made representation on 22.10.2013 vide Annexure-A/2 stating therein that he can make arrangement for the office room in the said village and that he may be called for the certificate verification but, in the meantime, Sr. Superintendent of Post Offices, Bhubaneswar Division (Respondent No.3), issued a fresh notification vide Annexure-A/3 dated 20.12.2013 for filling up of the aforesaid post. Mr. Behera, Ld. Counsel for the applicant, submitted that although the said representation of the applicant was pending before Sr. Superintendent of Post Offices, Bhubaneswar Division (Respondent No.3) for consideration, issuance of fresh notification is arbitrary and illegal.


3. On the other hand, Mr. S.K.Patra, Ld. ACGSC, has no immediate instruction if the applicant has made any such representation and if so the status thereof.


4. Since it is the positive case of the applicant that his representation under Annexure-A/2 is still pending consideration, without entering into the merit of this case, we dispose of this O.A. at the stage of admission itself by directing Respondent No. 3 to take a decision on the



representation of the applicant within a period of four weeks from the date of receipt of a copy of this order and communicate the result thereof to the applicant by way of a well reasoned order. We make it clear that till then there shall be no further proceeding in pursuance of Annexure-A/3 notification. No costs.

5. Copy of this order be transmitted to Respondent No. 3 by Speed Post at the cost of the applicant, for which Mr. A.C.Behera, Ld. Counsel for the applicant, undertakes to file the postal requisites by 21.03.2014.


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


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

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