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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. NO. 260/00994 OF 2014
Cuttack this the 12th day of January, 2014

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

Mahendra Kumar Das,
aged about 38 years,
S/o. Madad Chandra Das,
Now working as Gramina Dak Sevak Mail Man,
HRO,RMS 'BG' Division,
Berhampur, residing
Near Old SBH Bank,
Hillpatna, Berhampur-76005

...Applicant
(Advocates: M/s. T.K. Mishra, S. Mohanty)

VERSUS

Union of India Represented through

1. Director General of Posts Dak Bhawan,
Sansad Marg, New Delhi-110001
2. Chief Post Master General,
Odisha Circle,
Bhubaneswar,
Dist-Khurda, Pin-751001
3. Post Master General,
Berhampur Region,
Berhampur-760001
4. Director of Postal Services (HQRS),
Odisha Circle,
Bhubaneswar-751001
Dist-Khurda
5. Superintendent, RMS 'BG' Division,
Berhampur-760001

... Respondents

(Advocate: Mr. U.B. Mohapatra, P.R.J. Dash)

Alles

ORDER (ORAL)

A.K.PATNAIK, MEMBER (J):

Heard Mr. T.K. Mishra, Learned Counsel for the Applicant and Mr. U.B. Mohapatra, Ld. SCGSC assisted by Mr. P.R.J. Dash, Ld. ACGSC appearing for the Respondent, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 in which the applicant has prayed for the following reliefs:

“(i) To direct the respondents to quash the order dated 06.08.2014.

(ii) To direct the Respondents to give appointment as a Mail Guard. “

3. The fact of the case is that the applicant while working as Gramina Dak Sevak Mail Man, HRO, RMS “BG” Division Berhampur, Respondent No.2 published a notification dated 13.08.2013 for limited Departmental Competitive Examination for the post of Postman/Mail Guard for the vacancies for the year 2012 disclosing the date of examination on 29.09.2013. In response to the said notification the applicant along with other candidates appeared in the said examination. The applicant qualified but he has been deprived of to get the appointment on false and frivolous ground. Thereafter, the applicant filed series of representations vide Annexure-A/4 series to the Respondents to consider his grievance and to appoint him in the post of Postman/Mail Guard but till date no response has been received from the Respondents hence the applicant has filed the present O.A. with the prayer as stated above.

Alles

By drawing our attention to the representations submitted to Respondent No.2 & 3

Mr. Mishra submitted that a direction be issued to Respondent No.2 to consider the said representations within a specified time frame.

4. Mr. Mohapatra, Ld. Addl. SCGSC appearing for the Respondents, has no immediate instruction, if any such representations have been preferred by the applicant and the status thereof.

5. Since it is the positive case of the applicant that the representations 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.2 to consider the representations vide Annexure-A/4 series (if the same have been received and are still pending) and dispose of the same and communicate the result thereof in a well reasoned order to the applicant within a period of 90 days from the date of receipt of copy of this order. However, we make it clear that if in the meantime said representations have already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order. No costs.

6. Copy of this order along with paper books be transmitted to Respondent No. 2 by Speed Post at the cost of the applicant, for which Mr. Mishra, Ld. Counsel for the applicant, undertakes to file the postal requisites by

15.01.2015.



(R.C.MISRA)
MEMBER (A)



(A.K.PATNAIK)
MEMBER(J)