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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

O.A.No. 260/0000100 of 2014
Cuttack, this the 28th day of February, 2014

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

.....
M. Rambabu, aged about 44 years, S/o. M. Krishnamurty, permanent resident of Vill/Po. Parlakhemundi, Dist- Gajapati at present working as GDS BPM Machamera B.O. in account with Uppalada S.O. under Parlakhemundi H.O.P.S./Dist. Gajapati.

....Applicant
(Legal Practitioner:-Mr. T.Rath)

Versus

1. The Chief Postmaster General, Odisha Circle, At/Po.Bhubaneswar GPO, Bhubaneswar- 751001, Dist. Khurda.
2. Post Master General, Berhampur (Ganjam) Region, At/PO-Berhampur – 760001, Dist- Ganjam.
3. Sr. Superintendent of Post Offices, Berhampur Division, At/PO- Berhampur, Dist- Ganjam.
4. **UNION OF INDIA REPRESENTED THROUGH-** The Secretary & Director General Posts), Govt. of India, Department of Posts, Dak Bhawan, New Delhi-110 001.

.....Respondents

(Legal practitioner: Mr. D.K.Behera)

O R D E R (ORAL)

A.K.PATNAIK, MEMBER (JUDICIAL):

Copy of this OA has been served on Mr. D.K.Behera, 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. T.Rath, Learned Counsel for the Applicant and Mr. D.K.Behera, Learned Additional CGSC appearing for the Respondents and perused the records.

2. The case of the applicant, in brief, is that he was regularly appointed to the post of GDS BPM of Dambola BO on 20.10.1997 and, as

[Signature]

per the direction of the competent authority, he has been transferred to join the post of GDS BPM Machamera BO on 30.06.2006, in which post he has been continuing since 30.06.2006. It is the positive case of the applicant that although his representation dated 29.08.2011, followed by reminder dated 26.11.2011, filed before the Respondent No.3 and the representation dated 11.06.2012 filed before Respondent No.1 for his permanent transfer to the aforesaid post were pending, Respondent No. 3 without taking/communicating any decision on the aforesaid representation, issued notification dated 04.12.2013 vide Annexure-A/5 inviting application from intending candidates for the post of GDS BPM, Machamera BO in account with Uppalada SO fixing last date of receipt of application to 26.12.2013. Applicant, in support of his claim, has also filed copies of the recommendations made vide Annexure-A/3 series.

3. Since it is the positive case of the Applicant that having received no reply from Respondent No. 3 on his representation dated 29.08.2011, he has made another representation to Respondent No. 1 on 11.06.2012 but he has not received any reply thereon also till date, this OA is disposed of with direction to Respondent Nos. 1 and 3 to consider the aforesaid representations, if the same have been received and are still pending, taking into account the recommendations made under Annexure-A/3 series and communicate the decision thereon in a well reasoned order to the applicant within a period of 60 days from the date of receipt of a copy of this order. In view of the above, Respondent No. 3 is also directed not to proceed with the selection in pursuance of the notification dated 04.12.2013 (Annexure-A/5) till the representations are considered and results communicated to the applicant.

Yours

4. In the result, with the aforesaid observation and direction, this O.A. 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. 1 and 3 by speed post at the cost of the applicant for which Learned Counsel for the applicant undertakes to furnish the postal requisite by 04.03.2014.


(R.C.Misra)
Member (Admn.)


(A.K.Patnaik)
Member (Judl.)

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