

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1

08/04/2019

O.A./260/238/2019

WITH IR.ON MEMO

J ROUT

-V/S-

D/O POST

ITEM NO:12

FOR APPLICANTS(S) Adv. : Mr. C. P. Sahani

FOR RESPONDENTS(S) Adv.: Mr. C.M. Singh

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsels for the applicant and respondents.</p> <p>Ld. Counsel for the applicant submitted that the applicant was given the responsibility of Krushnanagar Patna BO in a combination duty in addition to his own duty vide order dated 28.02.2018 (Annexure-A/4). The applicant has submitted a representation dated 22.09.2018 (Annexure-A/6) for regular posting for Krushnanagar Patna BO as GDSBPM which is pending as stated by the Ld. Counsel for the applicant. When this representation was pending, respondents have published a notification dated 10.03.2019 (Annexure-A/7) inviting application for the said B.O. vide Sl. No.2966 of the said notification. He, therefore, prayed for quashing of this notification so far as Krushnanagar Patna BO is concerned. Ld. Counsel for the applicant also submits that vide Para 4 of the guidelines of the Respondent No.1 at Annexure-A/9 the manner for filling up the GDSBPM post has been specified in which the applicant's case can be considered with higher priority before filling up the post through outsiders.</p>

Ld. Counsel for the Respondents was heard. He wants to obtain instruction in this matter. It is submitted that vide order dated 10.03.2019, online application has been invited.

In view of the above submissions, it is felt that there is no point to keep this O.A. pending at this stage. Therefore, the O.A. is disposed of at this admission stage with a direction to Respondent No.3/competent authority to consider the representation dated 22.09.2018 (Annexure-A/6) of the applicant if it is still pending as on date and dispose of the said representation by passing a speaking order as per the provisions of law in response to notification at Annexure-A/7 keeping in view the circular dated 17.02.2011 (Annexure-A/9) as well as other relevant circulars/rules as applicable and a copy of the speaking order be communicated to the applicant within a period of two months from the date of receipt of a copy of this order. The respondents are directed not to finalize the recruitment of outsiders for GDSBPM for Krushnanagar Patna BO vide Sl. No.2966 of the notification dated 10.03.2019 (Annexure-A/7) till a decision is taken on the applicant's representation dated 22.09.2018 (Annexure-A/6) as stated above.

It is made clear that no opinion on the merit of the case has been expressed while passing this order. The O.A. is disposed of accordingly. No costs.

Copy of this order be given to Ld. Counsels for both the parties.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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