

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

**ORDER SHEET**

COURT NO. : 1

03/12/2018

O.A./260/495/2018  
FOR INTERIM PRAYER

K MALLIK  
-V/S-  
D/O POST

ITEM NO:6

FOR APPLICANTS(S) Adv. : Mr. N.R. Routray

FOR RESPONDENTS(S) Adv.: Mr. B. Swain

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. Counsel for both sides. Ld. Counsel for the applicant submitted that the applicant is aggrieved since the benefit of retrospective promotion allowed to him vide order dated 23.07.2008 of this Tribunal which is confirmed by order dated 17.01.2012 by the Hon'ble High Court of Orissa has not been extended to him although other employees who were parties in earlier case have been given the benefits vide order dated 23.02.2018 (Annexure-A/4). By the representation dated 08.05.2018 (Annexure-A/5), the applicant has brought this fact to the notice of the authorities.</p> <p>Ld. Counsel for the Respondents submitted that he wants some time to obtain instructions in this matter from the Respondents-Department.</p> <p>It is noticed that the grounds mentioned in the O.A. that the employees who were parties in O.A. No.1196/2004 and O.A. No.1213-1221/2004 have been given the benefit, which has been denied to him. This point has not been mentioned in the representation 08.05.2018. Hence, the O.A. is disposed of at this stage with liberty to the applicant to file a representation enclosing copy of the</p>

previous representation and a copy of this order, incorporating the grounds now mentioned in the O.A. to the Respondent No.3 competent authority within 15 days of the date of receipt of this order. If such a representation is made within time stipulated above, the Respondent No.3 competent authority shall decide the case by passing a reasoned and speaking order copy of which is to be communicated to the applicant within two months from the date of receipt of such representation.

The O.A. is disposed of accordingly. It is made clear that we have not expressed any opinion on the merit of this case while passing this order. No costs.

( SWARUP KUMAR MISHRA)  
MEMBER (J)

( GOKUL CHANDRA PATI)  
MEMBER (A)

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