

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

ORDER SHEET

COURT NO. : 1

30/01/2019

O.A./260/82/2019

P SAHU

M.A./260/59/2019

-V/S-

FOR INTERIM RELIEF

D/O POST

ITEM NO:9

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

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

Notes of The Registry	Order of The Tribunal
	Heard Ld. Counsel for the applicant and respondents on the O.A. as well as on M.A. No.59/19 by which a prayer for interim relief for one post of AAO to be kept vacant as prayed for by the applicant.
	Ld. Counsel for the applicant submitted that the applicant had secured 454.5 marks which is higher than the mark secured by another un-reserved candidates who has secured 405 marks. He has also submitted that he obtained the information about his score in October, 2018 (Annexure-A/6) after which he filed this O.A. He also submitted that a representation dated 30.11.2018 (Annexure-A/7) before the Respondent No.2.
	Ld. Counsel for the respondents submits that the respondents would dispose of the representation as per rules.
	In view of the above submissions and taking note of the fact that the representation dated 30.11.2018 (Annexure-A/7) filed by the applicant is pending, and that the cause of action in this case has arisen on 30.10.2018 (Annexure-A/6) when he received his marks, the O.A. is disposed of at this stage with a direction to Respondent No.2/competent authority to consider the representation dated 30.11.2018 (Annexure-A/7) of the applicant and dispose of the same as per law by passing a speaking and reasoned order within a period of two months from the date of receipt of copy of this order under intimation to the Applicant.

It is made clear that till disposal of the applicant's representation dated 30.11.2018, one post of AAO shall be kept vacant if the vacancy exists as on today. If the applicant will be found eligible while considering his representation he shall be promoted as per law at par with the candidates who has secured less marks than the applicant.

It is clarified that we have not expressed any opinion on the merit of this case while passing this order. The O.A. as well as the M.A.No.59/19 are disposed of accordingly. No costs.

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

(SWARUP KUMAR MISHRA) MEMBER (J)	(GOKUL CHANDRA PATI) MEMBER (A)
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