

BACK



Print

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

ORDER SHEET

COURT NO. : 1

13.03.2019

O.A./260/760/2012

PRAKASH MUKHI

-V/S-

D/O POST

ITEM NO:54

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

FOR RESPONDENTS(S) Adv.: Mr.D.K.Mallick

| Notes of The Registry | Order of The Tribunal |
|-----------------------|---|
| | <p>Heard learned counsels for the applicant. He submitted that the representations of the applicant dated 21.2.2012 (Annexure A/5) and dated 11.6.2012 (Annexure A/6) are pending with the respondents and his grievances will be addressed if a direction is given to the respondents to consider and dispose of the said representations.</p> <p>2. Learned counsel for the respondents submitted that the respondents have considered the case of the applicant for grant of temporary status as per order dated 6.2.2012 and detailed speaking order dated 4.5.2012 (Annexure A/4) has been passed by the respondent No.2 (CPMG, Odisha Circle) rejecting the claim of temporary status as he was a part time casual labourer. The reliefs in the present OA are for revising his pay etc. which are not admissible in view of the order dated 4.5.2012 (Annexure A/4) which is not impugned in this OA.</p> <p>3. It is noted that in para 10 of the order dated 6.2.2012, it was stated that the case of the part time casual workers can be considered for regularization in the light of Department of Post letter dated 16.9.1992. But this aspect of the case has not been examined by the respondents in the order dated 4.5.2012 (Annexure A/4) by which the case of the applicant has been rejected on</p> |

the ground that he was a part time casual labourer.

4. We are, therefore, of the view that this case of the applicant deserves to be reconsidered in the light of the Department of Posts letter dated 16.9.1992 relating to the case of part time casual labourers as discussed in para 10 of the order dated 6.2.2012 of this Tribunal in OA No. 263/2010 (Annexure A/3).

5. In the circumstances, the respondents are directed to consider the representations dated 21.2.2012 (Annexure A/5) and dated 11.6.2012 (Annexure A/6) in the light of the Department of Posts letter dated 16.9.1992 referred in para 10 of the Tribunal's order dated 6.2.2012 (Annexure A/3) and dispose of the same by passing a speaking and reasoned order, copy of which is to be communicated to the applicant within 90 days from the date of receipt of the copy of this order.

6. The OA is disposed of accordingly with no order as to costs.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

I.Nath