

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH**

OA No. 8 of 2012

Date of order : 6.2.2019

**Present: Hon'ble Mr.Gokul Chandra Pati, Member (A)
Hon'ble Mr.Swarup Kumar Mishra, Member (J)**

Susanta Kumar Bhoi, aged about 31 years, S/o Sri Sarang Bhoi, resident of vill/PO- Baidipalli, Via – Churpalli, Dist. – Bolangir, Odisha, Pin – 767024.

.....Applicant

VERSUS

1. Union of India, represented through its Secretary cum Director General of Posts, Dak Bhawan, Sansad Marg, New Delhi – 110001.
2. Chief Post Master General, Odisha Circle, At/PO- Bhubaneswar, Dist. – Khurda – 751001.
3. Superintendent of Post Offices, Bolangir Division, At/PO – Bolangir, Dist. – Bolangir, Odisha – 767001.
4. Sarpanch, Baidipalli Gram Panchayat, At/PO – Baidipalli, Via – Chudapalli, Dist. – Bolangir, Odisha – 767204.

.....Respondents.

For the applicant : Mr.N.R.Routray, counsel

For the respondents: Mr.L.Jena, counsel

O R D E R (ORAL)

Per Mr.Gokul Chandra Pati, Member (A)

The present OA has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs :

“In view of the facts staged above, it is humbly prayed that Hon'ble Tribunal may graciously be pleased to direct the respondents to provide alternate appointment to applicant in any EDA/GDS Post in Baidipali BO or in any nearby Post Office.

And any other order (s) so the Hon'ble Tribunal deems just and proper in the interest of justice.”

2. Heard both the learned counsels for the applicant and the respondents.

3. Learned counsel for the applicant submits that the applicant's grievance will be redressed at this stage if a direction is given to the respondents to disposed of his representation dated 26.12.2011 (Annexure A/4) addressed to the respondent No.3.

4. Learned counsel for the respondents submits that in view of the counter submitted by the respondents and as per the existing rules, it is not possible to accede to the request of the applicant.

5. However, in view of the limited prayer made by the learned counsel for the applicant, the respondent No.3/competent authority is directed to consider the representation dated 26.12.2011 (Annexure A/4) submitted by the applicant on merit taking into account the existing rules and guidelines applicable and pass a speaking order after considering the same as per provisions of law and copy of the order be communicated to the applicant within two months from the date of receipt of a copy of this order. The applicant will also be at liberty to send a copy of this order along with the representation dated 26.12.2011 (Annexure A/4 to the OA) to the respondent No. 3/competent authority within 10 days from the date of receipt of the copy of this order.

6. It is made clear that we have not expressed any opinion on the merit of the case.

7. The OA is accordingly disposed of. There will be no order as to costs.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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