

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

ORDER SHEET

COURT NO. : 1

14/05/2019

O.A./260/307/2019

K C DALABEHERA

-V/S-

D/O POST

ITEM NO:31

FOR APPLICANTS(S) Adv. : Mr. D.P. Dhalsamant (on behalf of Dr. C.R. Mishra)

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

Notes of The Registry	Order of The Tribunal
	<p data-bbox="520 891 1361 1039">Heard Ld. Counsels for the applicant and respondents. Registry is directed to reflect the name of Mr. B. Swain, Ld. Counsel for the respondents in the future cause list.</p> <p data-bbox="520 1160 1361 1581">Ld. Counsel for the applicant submits that the applicant is working as GDSBPM Balugaon B.O. after retirement of Sri Baikuntha Nath Prusty on 05.04.2009. He further submits that the applicant has given a representation dated 25.06.2018 (Annexure-A/6) series for consideration of his regular posting as GDSBPM Balugaon B.O. But instead of considering his case as per the instruction of D.G. (Posts), the respondents have issued a notification dated 10.03.19 (Annexure-A/7) for filling of that post vide Sl. No.2872.</p> <p data-bbox="520 1697 1361 1966">Ld. Counsel for the respondents submits that there is no representation pending. Ld. Counsel for the applicant submits that the representation of the applicant vide Annexure-A/6 was considered by the respondents and asked for fresh representation with relevant documents vide letter dated 13.11.2018.</p>

In view of the submissions of the learned counsels as above, and taking into the fact that the representation dated 25.06.2018 (A/6) is under consideration, the O.A. is disposed of at this stage with liberty to the applicant to comply the the letter dated 13.11.2018 (A/6) of the Senior Superintendent of Post Offices, Puri (Respondent No.3) within 15 days with a detailed representation to Respondent No.3 raising the grounds which have been taken in this O.A. within a period of two weeks from the date of receipt of copy of this order. If such a representation is filed within the time as specified above, the Respondent No.3/competent authority is directed to consider the representation as per the law and dispose of the same by passing a speaking and reasoned order in the light of the instruction of D.G. (Posts) letter dated 10.04.2012 (Annexure-A/10) and dated 17.07.2006 and copy of such order be communicated to the applicant within a period of two months from the date of receipt of such representation. Till that time the respondenets will not take any final decision for the post of GDSBPM Balugaon B.O. as advertised at Sl. No.2872 of notification dated 10.03.2019 (Annexure-A/7). It is made clear that no opinion has been expressed on merit of the case while passing this order.

Accordingly, the O.A. is disposed of at this stage. No costs.

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

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

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