

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

ORDER SHEET

COURT NO. : 1

24/07/2019

O.A./260/478/2019

T K MISHAL

-V/S-

D/O POST

ITEM NO: 8

FOR APPLICANTS(S) Adv. :

Mr.N.R.Routroy

Mr.T.K.Chowdhury

FOR RESPONDENTS(S) Adv.:

Mr.C.M.Singh

Notes of The Registry	Order of The Tribunal
	<p>Heard the learned counsels for the applicant and the respondents.</p> <p>This matter pertains to compassionate appointment of the applicant. Applicant's counsel submitted that his case has been recently considered by the respondents and vide letter dated 29.1.2019 (Annexure A/5) by which certain information was called for internally. Copy of this letter has been communicated to the applicant.</p> <p>Learned counsel for the respondents submitted that as stated in para 4.6 of the OA the applicant had filed earlier OA which was disposed of with a direction to consider the case of the applicant but the copy of the order has not been enclosed with the OA. He also submitted that the case is badly delayed.</p> <p>Learned counsel for the applicant submitted that the applicant has filed a fresh representation dated</p>

29.5.2019 (Annexure A/6) and that the grievance of the applicant will be addressed for the present if a direction is given to the respondents to consider and dispose of the said representation dated 29.5.2019.

It is seen that in this case the death of the applicant's father took place on 6.7.2011 as per the death certificate and the applicant's case is pending since that time. From the letter dated 29.1.2019 (Annexure A/5) it is seen that certain clarifications were sought for by the respondent No.3 from respondent No.4 and the copy of the letter has been sent to the applicant. This shows that the case of the applicant was still under consideration as on 29.1.2019 and hence, the OA is not barred by limitation.

In view of the above facts the OA is disposed of with direction to the respondent No.2/competent authority to consider the representation of the applicant dated 29.5.2019 (Annexure A/6) as per the provisions of the rules and pass a speaking order within four months from the date of receipt of the copy of this order. It is clarified that while passing this order no opinion about the merit of the case is expressed.

The OA is disposed of accordingly. No order as to costs.

(GOKUL CHANDRA PATI)
MEMBER (A)

I.Nath