

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

ORDER SHEET

COURT NO. : 1

17/06/2019

O.A./260/342/2019

BRUSHA BAHAN NAIK

-V/S-

D/O POST

ITEM NO:8

FOR APPLICANTS(S) Adv. : Mr.T.K.Mishra

FOR RESPONDENTS(S) Adv.: Mr.P.K.Mohanty

| Notes of The Registry | Order of The Tribunal |
|-----------------------|---|
| | <p>Heard both the learned counsels.</p> <p>2. It is submitted by the learned counsel for the applicant that the representation of the applicant has been rejected vide order dated 13.3.2019 (Annexure A/2). He however submits that the circular dated 17.5.1989 (Annexure A/3) has not been taken into consideration. The applicant who has completed 12 years of service and is at present working as part time casual labourer wants to be treated as full time casual labourer.</p> <p>3. Learned counsel for the respondents submits that there is no specific averment in the OA that the applicant has completed 240 days of service.</p> |

4. In view of the limited prayer made by the learned counsel for the applicant it is felt that no purpose would be served by keeping the OA pending. The OA is therefore disposed of at this stage with liberty to the applicant to file a fresh representation with adequate justification with supporting documents to respondent No.4/competent authority raising the grounds which have been taken in this OA within a period of ten days 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.4/competent authority is directed to consider the representation as per the law and dispose of the same by passing a speaking and reasoned order, copy of which shall be communicated to the applicant within a period of three months from the date of receipt of such representation. It is made clear that no opinion has been expressed on merit about the case while passing this order.

5. Accordingly the OA is disposed of at this stage. No order is passed as to costs.

6. Copy of this order be given to the learned counsels for both sides.

(SWARUP KUMAR MISHRA)
MEMBER (J)

I.Nath