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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

Original Application No.249 of 1988.

Date of decision : January 19, 1989.

Sri Nalini Kanta Rout, aged about 29 years,
son of Sri Dusasan Rout, Vill/P.O. Bamdev pur,
Via-Jajpur, District-Cuttack. ...

Applicant

Versus

1. Union of India, represented by
Postmaster General, Orissa Circle,
Bhubaneswar-751001. Dist.Puri.
2. Superintendent of Post Offices,
Cuttack North Division, Cuttack-753001.
3. Postmaster, Jajpur H.O.,
Jajpur, Dist-Cuttack-Pin 755001.

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Respondents.

For the applicant ... M/s.P.V.Ramdas,
B.K.Panda, Advocates.

For the respondents ... Mr.A.B.Mishra, Sr.Standing Counsel
(Central)

C O R A M :

THE HON'BLE MR.B.R.PATEL, VICE-CHAIRMAN

A N D

THE HON'BLE MR.K.P.ACHARYA, MEMBER (JUDICIAL)

1. Whether reporters of local papers may be allowed
to see the judgment ? Yes.
 2. To be referred to the Reporters or not ? *NO*
 3. Whether Their Lordships wish to see the fair copy
of the judgment ? Yes.
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J U D G M E N T

K.P.ACHARYA, MEMBER (J) In this application under section 19 of the Administrative Tribunals Act, 1985, the applicant prays to issue a direction to the respondents to allow the applicant to appear in a departmental test for being absorbed as a Group D official and so also to regularise his services.

2. Shortly stated, the case of the applicant is that he has been working as Casual Mazdoor in the Postal Department for a very long period and hence prays for absorption on regular basis against regular post. The prayer of the applicant is limited to the above extent and to allow him to appear at the test for being absorbed as Group D official.

3. We have given our anxious consideration to the arguments advanced at the Bar and we propose to take the very same view which we have already taken in Original Application No. 303 of 1988, a matter similar to this relating to the Telecommunications Department. We would direct that a seniority list of all the casual Mazdoors be prepared (if not already prepared) and according to seniority, cases of different incumbents be considered for regular absorption against regular posts as and when vacancy occurs and such appointment must be subject to the suitability of the particular incumbent. However, we would like to expressly say that till regular absorption the applicant should continue as casual Mazdoor according to the administrative needs.

5. Thus, this application is accordingly disposed of leaving the parties to bear their own costs.

legat
19.1.89
.....
Member (Judicial)

B.R.PATEL, VICE-CHAIRMAN,

9 agree.



Amul
19.1.89
.....
Vice-Chairman

Central Administrative Tribunal,
Cuttack Bench, Cuttack.
January 19, 1989/S. Sarangi.