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3 0.A.102/99

Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
6	1.4.97	<p>None appears by either parties. as today is being observed as 'BANDH'. Matter is posted to 02-04-1997.</p> <p style="text-align: right;">J. Jom VICE-CHAIRMAN 17/4/97</p>	
7	24/97	<p>No time. Put up on 31/4/97.</p> <p style="text-align: right;">B.O. h (CO)</p>	
8	34/97	<p>No time. Put up before the over Division Bench.</p> <p style="text-align: right;">B.O. h (CO)</p>	
9	9.9.97	<p>Learned counsel for the petitioner is absent when called even though the case was put in the Warning List before constitution of the Division Bench.</p> <p>Heard the learned senior panel counsel Shri A.K.Mishra appearing on behalf of the Respondents. In this Application the prayer of the applicant is for a direction to Respondents to allow him to work as E.D. Night-Watchman Borikina S.O. till his retirement on superannuation. He has also prayed for quashing the order dated 9.3.1992 at</p> <p style="text-align: right;">J. Jom</p>	...

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..	9.9.97	<p>Annexure-1 directing his relief from the post of E.D.Night Watchman, Borikina to enable him to join as E.D.M.C. Janakideipur Post Office. At the time of admission of the Application on 26.3.1992, the prayer for interim relief seeking stay operation of his posting from Borikina to Janakideipur was rejected. The applicant has submitted in his application filed in March, 1992 that he is 62 years old and he should be allowed to continue as E.D.Night Watchman till his superannuation which would be at the age of 65. It is submitted by the Respondents in their counter that in pursuance of a policy decision the posts of Night Watchman have been abolished in the E.D.Post Offices and the existing Night Watchmen are being adjusted in other E.D.Posts in nearby post offices and till such adjustment they are being allowed to continue. In this case the petitioner by now ^{on} own admission has crossed the age of 65 years and therefore, the petitioner has become infructuous. In consideration of the above, the petition is dismissed for having become infructuous. No costs.</p> <p><i>S. M. 9/9/97</i> VICE-CHAIRMAN</p> <p><i>S. M.</i> MEMBER (J)</p>	