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O A. 256/95

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Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
		<p><u>10. ORDER DATED 4-10-2001.</u></p> <p>Learned counsel for the Applicant and his Associates are absent. Similarly learned counsel for private Respondent No.5, Shri A. Deo and his associates are also absent. There is no request for adjournment from both sides. As in this case pleadings have been completed long ago, it is not possible to drag on the matter indefinitely more so in the absence of any request for adjournment. We have, therefore, heard Shri A.K. Bose, learned senior Standing Counsel appearing for the Departmental Respondents, and have also perused the records.</p> <p>In this Original Application the Applicant has prayed for quashing the order of termination dated 27. 3. 95 at Annexure-6 removing the applicant from the post of EDDA Cum EDMC Lenda BO and inducting Shri Dharanidhar Das, Respondent No.5 to that post. Applicant has stated that he was selected for the post of EDDA cum EDMC on 27.4.91 and joined the post on 29.4.91. This appointment was made after the new Branch post Office was opened. In the regular selection for the post, the</p>	<p>Adj. to 20.6.95 for admission &amp; intervention order.</p> <p>Mr. Ashok Mishra has appeared for R-1 to R-4. R-5 has no appearance.</p> <p>MA-442/95 for extension of time to file counter copy of MA-442/95 not served.</p> <p><i>Batra</i> 29/1</p> <p>28 work</p> <p>Counter has been filed. Copy of counter not served.</p> <p>For further orders. <i>Batra</i> 27/7</p> <p>Regist</p>

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		<p>applicant applied and was duly selected. He continued in that post till 8.7.91 after which Respondent No.5 was appointed from 9.7.1991 and continued upto 12.2.92. Again on 13.2.92 provisional appointment was made in favour of applicant. Finally on 17.3.92 the applicant was appointed to the post and continued. while he was continuing as such on 29.3.1995 his engagement was terminated in pursuance of the order of Tribunal dated 12.12.94 in C.A.No. 65/92 and Respondent No.5 was inducted to that post. In the context of the above, the applicant has come up in this Original Application with the prayer referred to earlier.</p> <p>Respondents have filed counter opposing the prayer of applicant. No rejoinder has been filed. For the present purpose it is not necessary to go into too many facts of this case. We have called for the records of OA No.65/92 and perused the same. We find that in OA No.65/92, the applicant who is present Respondent No.5 before us and the Tribunal directed in order dt.12.12.94 to reinstate the applicant to the post of EDDA cum EDMC. It appears that accordingly Respondent No.5 was reinstated in that post and applicant service has been terminated. As termination</p>	<p>Order dt. 28.7.95</p> <p>counter copy be served by one week</p> <p>None Present.</p> <p>C.R. Registrar</p> <p>counter copy has not yet served.</p> <p>for brother orders.</p> <p><i>[Signature]</i> 3/8</p> <p>Registrar order dt 4.8.95</p> <p>counter copy be served within one week.</p> <p>C.R. Registrar</p> <p>copy of counter has not yet served on petitioner's counsel.</p> <p>for brother orders.</p> <p><i>[Signature]</i> 2/8</p> <p>Registrar</p>


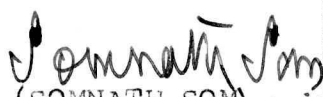



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		<p>of service of applicant by reinduction of Respondent No.5 was done in pursuance of the order of this Tribunal, we find no merit in the prayer of the applicant which is accordingly rejected.</p> <p>In view of the above, the O.A. is rejected.No costs.</p> <p> (G.NARASIMHAM) MEMBER (JUDICIAL)</p> <p><u>KNM/CM.</u></p>	<p>counter by R-5 not filed: R-5 also has no appearance. For further orders.</p> <p> (SOMNATH SOM) VICE-CHAIRMAN</p> <p>10/20/13/11 Bench</p> <p>counter by R-5 has not filed. Adj. to 6-XI-95 for admission with interest on orders.  31/11 Bench</p> <p>counter by R-5 not filed. for further orders.  17/11 Bench</p> <p>counter by R-5 has not filed for further orders.  20/11 Bench</p>