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dt. 14.3.02  
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S-O

Order dated 14.3.2002

Applicant ( a Member of Orissa Police Service, <sup>who</sup> and subsequently, ~~having~~ become a Member of Indian Police Service on 1st April, 1989) has filed the present Original Application, mainly, seeking a direction to Respondents to declare him as a Member of Indian Police Service w.e.f. 23.6.1982. Counters have been filed in this case, both by the State Government of Orissa and the Union of India.

We have heard the learned counsel for the applicant, Shri K.C.Mohanty, learned Govt. Advocate for the State of Orissa and Shri U.B. Mohapatra, learned Addl. Standing Counsel for the Union of India.

Earlier the applicant was before this Tribunal seeking certain reliefs in O.A.146/86 and T.A.90/87 and he having been granted the reliefs, the matter was carried to the Apex Court of India in Civil Appeal No.4318-4319 of 1990. The Hon'ble Apex Court clearly and elaborately examined the matter with regard to claim of the applicant for being absorbed in I.P.S. retrospectively from the year 1982 and, ultimately, negatived the same. That being the position the prayer of the applicant in the instant O.A. to ante date his absorption in I.P.S. w.e.f. 23.6.1982 is not entertainable/maintainable.

The O.A. is, therefore, dismissed.  
No costs.

MEMBER (ADMINISTRATIVE)  
MEMBER (JUDICIAL)