

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Dr. 3.2.03

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 handed over to  
 Counsels for their  
 use.

for  
 7/2/03

Dr.  
 10/2/03  
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Order dated 03.02.2003

In this Original Application under Section 19 of the A.T.Act, 1985, Shri Satish Chandra Mahanta (the Applicant) a Group 'D' employee of Baripada H.O. has challenged the order of Respondent No.2 under Annexure-1 dated 15.5.1996, appointing him as Stamp Vendor of Baripada H.O. with immediate effect. It is a fact that the post of Stamp Vendor constitutes a separate cadre and is not in the line of promotion of Gr.'D' cadre to which the applicant belongs. It is also a fact, as submitted by the applicant, that these posts are not interchangeable as per the Recruitment Rules.

We have also heard Mr.P.V.Ramdas, the learned counsel for the applicant and Mr.A.K.Bose, the learned Sr.Standing Counsel for the Respondents. Having regard to the facts and circumstances of the case and the Recruitment Rules governing appointment and promotion of Gr.'D' and Stamp Vendor cadres, we hold that the order passed by Respondent No.2 under Annexure-1 dated 15.5.1996, appointing the applicant as Stamp Vendor of Baripada H.O. is untenable and therefore, the same is, hereby quashed. Respondents are hereby directed to maintain the respective cadre strictly according to the terms and conditions as notified through the Recruitment Rules and framed in this regard.

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In the result, this O.A. is  
allowed, leaving the parties to bear their  
own costs.

MEMBER (JUDICIAL)

VICE-CHAIRMAN