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M/S Manarayan ifira.
Santi Dutta Toppath

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL





CUTTACK BENCH, CUTTACK

O.A./T.A./B.A.No. 799 1996

Manarayan Sahoo Applicant (s)

Versus

Union of India & Ors Respondent (s)

Sr. No	Date	Order's	Office note as to action (if any) taken on order
	6.11.96	REGISTER  Registrar	1. P.O. for Rs 50/- Filed.
1	6.11.96	<p>The prayer in this Application is for a direction to be issued to the Respondents to regularise services of the applicant in the post of Machine Attendant with ancillary benefits. The second grievance of the applicant is that there was a notification for Trade test by memo dated 9.10.1996. While the term of the notification (Annexure-9) states that it is for the Machine Attendant and Bindery Assistant to appear in the qualifying Trade Test to be conducted on 15.10.1996 and 16.10.1996, the applicant was not called for the Trade Test. By Annexure-7 the applicant was asked to exercise his option whether he shall continue as Machine Attendant in the Machine Branch or he wants to come over as Bindery Assistant. The option once exercised would be irrecoverable and final. By Annexure-8 dated 28.7.1995, the applicant preferred to work as Machine Attendant. It is in this background</p>	<p>Fes Regn. please.</p> <p> 6.11.96.</p> <p> Registrar</p> <p> 06.11.96 SO(8)</p>

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Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
..1	6.11.96	<p>the applicant is aggrieved that he was not called to the Trade Test. Learned counsel for the applicant Shri M.R.Mishra states that in this regard he has filed a representation dated 14.10.1996 before the Manager, Postal Printing Press, Bhubaneswar (Respondent 3). He states that the proposed trade test did not take place. On the other hand by Annexure-10, there was an advertisement for recruitment for the post of Machine Attendant (Off Set) reserved for S.T. His grievance is that without considering his case there was no justification for a fresh recruitment under Annexure-10. It has to be noted that by Annexure-5 the applicant has been conferred adhoc promotion in the scale of Rs.800-1250 with effect from 21.8.1991. The applicant had put in five years of adhoc service. His grievance is that he was not made permanent and he was not called to a Trade test and therefore, he has filed this Original Application.</p> <p>This Application can be disposed of by giving a simple direction to the Manager, Postal Printing Press, Bhubaneswar, (Res.3), to dispose of the said representation dated 14.10.1996 within a particular time frame. Accordingly, I direct Respondent No.3 to dispose of the applicant's representation within a period of four weeks from the date of receipt of a copy of this order. He shall consider the case of the applicant for trade test and also for regularisation. It is clarified at the Bar that the</p>	

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..1	6.11.96	<p>applicant belongs to O.C. category whereas the proposed advertisement by Annexure-10 is for one post under the head S.T. Apparently there is no conflict. Before disposing of the representation as aforesaid, Respondent 3 shall hear the applicant, invite him for a trade test, if any, and consider him for regularisation. Any orders adverse to the interest of the applicant shall be a reasoned and speaking order.</p> <p>Shri U.B. Mohapatra, Additional Standing Counsel is present and ^{is} heard on behalf of the Central Government.</p> <p>Hand over copies of the orders to the counsel for both sides.</p> <p><i>[Signature]</i> MEMBER (ADMINISTRATIVE)</p>	<p>Order no- 1 Dt. 6.11.96</p> <p>A copy of Order along with the ^{applicant's} notice may be given to Respondent's counsel and copy of Order to applicant's counsel.</p> <p><i>[Signature]</i> 7/11/96 07.11.96. S.O.(T)</p> <p>Recd the copy of the order along with the notice for all respondents</p> <p><i>[Signature]</i> Kshyam Mohapatra Routree 7-11-96 <i>[Signature]</i> 8.11.96</p>