

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

23. ORDER DATED 14-2-2001.

Heard Madam Mirabai Bhanja, learned counsel on behalf of Shri R.K. Kar, learned counsel for the Petitioner and Shri B.K. Nayak, learned Additional Standing Counsel (Central) appearing for the Respondents and have also perused the records.

2. For the purpose of considering this Original Application, it is not necessary to go into too many facts of this case. Applicant's prayer in this Original Application is for a direction to the Superintending Engineer, Postal Civil Circle, Patna and Executive Engineer, Postal Civil Division, Cuttack, Respondents 2 and 3 to consider the applicant's application at Annexure-3 alongwith other candidates for recruitment to the post of Office Peon.

3. Respondents in their counter have pointed out that for filling up of the post of Office Peon public notice was issued on 21.11.98 and this notice is at Annexure-R/1. The notice was published in employment news dated 21.11.98, fixing the last date of receipt of application as 28.12.1998. Even before that the applicant has filed this application on 21.9.1998 making the aforesaid prayer. Respondents have stated in para 7 of their counter that in case the applicant had applied in response to the notice at Annexure-R/1, then his case will be considered alongwith other candidates as asked for by the applicant. In view of the fact that the Respondents in their counter have agreed to consider the prayer of the applicant in case he has applied in response to the public notice we hold that the Original Application

J. Jay

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has become infructuous in the light of the
averments made by the Respondents in para 7 of
the counter. No costs.

(G. NARASIMHAM)
MEMBER (JUDICIAL)

(SOMNATH SOM)
VICE-CHAIRMAN

KNM/CM.

Copy of order
Dt 14.2.2001 issued
to counsel for both
sides.

Ans
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