

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Order dated 16.11.2004

Heard the learned counsel for the applicant and Shri U.B.Mohapatra, learned Sr. Standing Counsel appearing on behalf of the Respondents and perused the materials placed before us.

Applicant, having worked as substitute in different spells in various post offices, has made out a case for his absorption/selection against any E.D. post lying vacant in any post office nearby his village, on the strength of his past experience. Shri Mohapatra, in course of hearing submitted that on the direction of this Tribunal on an earlier occasion, the applicant had participated in a process of selection, but could not be selected on the ground that he was not well up in the seniority list to be treated as the most meritorious candidate.

As the substitutes do not have subsisting right to claim absorption against any departmental and/or E.D. vacancy under a preferential category, this Original Application, in our considered view, is devoid of merit and accordingly, the same is dismissed. However, the applicant may apply for selection against any post that may be advertised by the Respondents-Department through public notification and/or through Employment Exchange.

No costs.

MEMBER (JUDICIAL)

VICE-CHAIRMAN

Free copies of final order  
H.1611/04 issued to  
counsel for both sides.

29/11/04

W.M.M.  
S.C.I.