

## NOTES OF THE REGISTRY

Amendment petition  
not filed.

For orders

12

2.7.99

Decd.

Order of 5.7.99

A copy of Order  
may be given to both  
the excooks.

12

6.7.99

20/7/99  
S.M (J)

12.5.99

Amendment petition not filed. Learned  
Counsel for the petitioner wants the  
matter to be taken up after vacation.  
In view of this, posted to 5.7.99. Amendment  
petition to be filed in the meantime, failing  
which on the next date the matter will  
be taken up as it is. No further time.

VICE-CHAIRMAN  
12/5/99

Number(1)

5.7.99

Learned Counsel for the petitioner and his  
Associates are not present when called nor any request  
made on his behalf seeking adjournment. In this case  
in spite of several adjournments amendment petition  
has not been filed and on the last occasion on  
12.5.1999 it was indicated that the matter will be  
taken up on 5.7.1999 even in the absence of amendment.  
In view of this we have gone through the O.A. and  
also heard Shri S. Behera, learned Addl. Standing  
Counsel appearing for the respondents. The petitioner  
in this O.A. has prayed for quashing notification  
at Annexure-2 through which applications have been  
invited for filling up of the post of E.D.D.A. The  
applicant wants the public notice to be quashed on the  
ground that he had worked under the respondents as  
casual labourer and therefore, he has a right to be  
absorbed. There is no averment in this O.A. as to  
whether he was appointed as casual labourer through  
a process of selection. Hon'ble Supreme Court in a  
series of decisions have laid down that persons who  
have come through without <sup>any</sup> process of selection cannot  
be absorbed ~~thereby~~ applying for ~~the~~ post and has to  
face selection if they are qualified for the post.  
But to the extent of previous service as casual labourer  
they are to be given age relaxation. In this case  
there is ~~an~~ averment ~~that~~ the applicant has ~~not~~  
applied for the post of E.D.D.A. in response to  
public notification which he wants to be quashed.  
In consideration of this we are not inclined to admit  
this O.A. The O.A. is, therefore, rejected at the  
admission stage.

VICE-CHAIRMAN  
12/5/99

MEMBER (JUDICIAL)