

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORDER SHEET

Application No. OA 176 of 1999

Applicant (s) A Lok Kumar Biswal Respondent (s) UOI 808

Advocate for Applicant (s) M/S P K Padhi Advocate for Respondent (s)

NOTES OF THE REGISTRY

gpo for 1850L file

For Rego pl

DM

21.4.99

SOL
Prgoef
21.4.99

For Admin pl

DM
21.4.99

Bench

JJM

ORDERS OF THE TRIBUNAL

REGISTER

By *Registrar*

22.4.99

Seen the petition. Heard the learned counsel for the petitioner. In view of the submissions made by the learned counsel for the petitioner, we feel that this Original Application can be disposed of at the admission stage by issuing appropriate directions to the departmental authorities. In view of this we have heard Shri P.K.Padhi, learned counsel for the petitioner and Shri A.K.Bose, learned Senior Standing Counsel, on whom a copy of the petition has been served. The facts of this case, according to applicant are that he has been working as a Waterman(casual labourer) in Borikina Sub Post Office from 27th April, 1994 on a consolidated basic allowance of Rs.47/- and has thus completed five years of continuous service. He is a Matriculate and is otherwise eligible for appointment to the post of E.D.Post. He has also registered his name in the Employment Exchange. He had applied for the post of E.D.Packer, Kaduapada, but his case was not considered and the post was filled up by one casual labourer, who had rendered lesser period of service than him. The applicant has registered his name in Jagatsinghpur Employment Exchange, but his name has not been sponsored by

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Order dt. 22.4.99

A copy of order
may be given to
both the counsels.

22.4.99

Recd
S.O. (T)

Order dt. 22.4.99

A copy of
order with copy of
application may be
sent to all respondents
by regd. post / A.D.

5.5.99

Recd
S.O. (T)

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by the Employment Exchange for the post of E.D. Mail Carrier, Nandan and Galadari B.O. The applicant, has therefore, directly applied to the departmental authorities within the stipulated date, but he apprehends that his candidature may not be considered by the departmental authorities as his name has not been sponsored by the Employment Exchange. The applicant has also averred that the departmental authorities have not issued any public notice calling for names from the open market for filling up of the post of E.D. Mail Carrier, Nandan and Galadari B.O. According to latest instruction of D.G. Posts, along with the names calling for names from the Employment Exchange, public notice has to be issued, so that intending candidates can directly applied for the post. In this case the averment is that no such public notice has been issued. It is also submitted by the learned counsel for the petitioner that requisition to Employment Exchange has been sent by the departmental authorities after for the post of E.D. Mail Carrier, Nandan and Galadari, after issuance of the above circular by the Director General of Posts. In view of this, the Original Application is disposed of with a direction to departmental authorities that in case no public notice has been issued calling for names from the open market and in case the applicant has sent his application complete in all respect before the last date of receipt of applications, then his candidature should be considered along with other candidates strictly in accordance with rules.

The O.A. is disposed of as above at the admission stage itself.

J.S.M.
VICE-CHM.
22.4.99.

MEMBER (JUDICIAL)