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OA-411/99

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Rejoinder
not filed.

Pat
215

Bench

Rejoinder
not filed.

Pat
1316

Rejoinder

Order dt. 21.6.2000

Learned Counsel for
the petitioner is present
and unable to file
rejoinder even after
awarding more adjournments
so case be put up to

Bench.

Pat
21.6.00

Pat
21/6/2000
REGD

Rejoinder not filed
for orders. Jm

Bench

Pat
14/7

For admission

Pat
1878

Bench

07. 17. 07. 2000

Learned Counsel for the petitioner submits
that he will not file rejoinder in this
case. ^{pleadings are complete.} In view of this the matter is
posted to 21. 08. 2000 for hearing and
final disposal at the stage of admission.

Jm
vice-chairman
17/7.
Member (J)

Order dated 21.8.2000

Heard Shri P.K.Padhi, learned counsel for
the petitioner and Shri A.Routray, learned Addl.Standing
Counsel appearing for the respondents. For the purpose
of considering this petition it is not necessary to
go into too many facts of this case. The case of the
applicant is that he was appointed against a put off
duty vacancy in the post of E.D.B.P.M., G.G.Palli
in account with Rambha S.O. on 7.3.1995. The regular
incumbent, who was put off duty was reinstated and
the applicant's service was terminated on 5.2.1998.
As the applicant had functioned for about three years,
he has prayed in this Application that direction be
given to respondents to adjust him ~~any~~ in any
E.D.Post.

Respondents in their counter admit that
the applicant worked from 7.3.1995 till 5.2.1998. This
works out to 29 days less than three years. It has
been submitted by the respondents that according to
Departmental instructions, if an E.D. Agent is
terminated after he has completed three years on the
grounds unconnected with his official conduct and
behaviour, then his name ~~is~~ has to be put in the
waiting list and he should be offered alternative
employment. As in this case applicant served less
than three years respondents have stated that his
name could not be put in the waiting list and he
could not be offered alternative appointment. Applicant
has stated that there are vacancies in the post of
E.D.M.C., Barasar and Sankuda and E.D.D.A., Talasar.

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OA-411/99

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Free copy of
order dt 21-8-80
given to both
counsel.

Pet
25-8-80

Proposed
25-8-80
80

It is submitted by the petitioner that he has applied for ~~these~~ these posts within the last date of receipt of applications with necessary documentation, which have not yet been filled up. In view of this it is ordered that in case the applicant has applied for these posts within the last date of receipt of applications and his application is complete in all respects and in case these posts have not been filled up, then the candidature of the applicant should be taken into consideration strictly in accordance ~~xi~~ with rules. In case these posts have been filled up, then the respondents are directed to consider the candidature of the applicant in case he applies for any other E.D.Post, within the time with necessary documentation strictly in accordance with rules.

O.A. is disposed of as above, without any order as to costs.

S. Venkata Ram
VICE-CHAIRMAN

[Signature]
MEMBER (JUDICIAL)