

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

counter not
filed.

extra
29/8
Bench

for consideration

counter filed
for further
orders.

on memo.

extra
7/9
Bench

The present applicants

J. J. M.

Order dated 11.9.2001

Heard Shri T. Rath, learned counsel for the petitioner and Shri A.K. Bose, learned Senior Standing Counsel and also perused the records.

In this O.A. the petitioner has prayed for a direction to respondents to ~~to~~ impart pre-appointment training to the applicant and to appoint him as a Postman as per order at Annexure-2. The admission position is that the applicant qualified for the post of Postman in the Departmental Examination and his name appears in the order of promotion dated 15.3.2001 vide Annexure-1. In order dated 16.4.2001 vide Ann. 2 he was deputed for training after joining and it was indicated that formal order of appointment would be issued for the training was completed. His grievance is that even after these two orders he is not being allowed to join the training and as he has not completed the pre-appointment training, no appointment order is being issued in his favour. It is further stated by the learned counsel that inspite of the direction of the Tribunal to allow the applicant to undergo training he is not being allowed to ~~imp~~ ^{get} ~~join~~ pre-appointment training. Respondents in their counter have stated that in regard to this selection and appointment to the post of Postman another person Shri Kumar Swain had filed O.A. No.100/2001 and because of the interim order in that O.A. applicant has not been allowed to undergo training, nor has he been issued with the order of appointment. We have called for records of O.A. 100/2001 in which we found that applicant, by way of interim relief prayed that no appointment should be given to the post of Postman, in pursuance of the order in which his name appears. This prayer was specifically rejected on the ground that the job of Postman is to provide postal services to the general public and therefore, the post could not be kept vacant and by way of interim relief it was ordered that appointment of the last person belonging to general category to the post of

4
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Free copy of
the order dt. 11.9.01
given to the
both concerned.

Re/da
14/9

~~Ans~~ 18
S-O

Postman in pursuance of the selection shall be subject to result of O.A.100/2001. From the above it is clear that the Tribunal did not put any embargo for appointment of the applicant in the present O.A., who incidentally happens to be the last person in general category for the post of Postman pursuant to the selection through Departmental Examination. In view of this we dispose of this O.A. with a direction to the departmental respondents to work out their orders dated 15.3.2001 (Annexure-1) and 16.4.2001 (Annexure-2) within a period of 15 (fifteen) days from the date of receipt of copies of this order.

With the above direction O.A. is allowed, but without any order as to costs.

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MEMBER (JUDICIAL)

John Mathew,
VICE-CHAIRMAN,
17.9.2001