

Order dated 19.11.2001

Heard Shri B.Rout, learned counsel for the petitioner, who has filed Misc.Application No.804/01, and Shri A.K.Bose, learned Sr.Standing Counsel for the departmental respondents. Shri B.K.Samal, learned counsel for private res. 4 is not present on call.

It is submitted by Shri Rout that Respondent No.4 has already joined in the post of E.D.B.P.M., Ratapat and the applicant has already handed over the charge to him. It is further submitted by Shri Rout that the applicant has worked as E.D.B.P.M., Ratapat for 17 years from 1984 and on the reinstatement of Shri Kartik Nayak (Res.4) he has already handedover him the charge of the Post Office. In M.A.804/2001, the applicant has prayed for direction to departmental respondents to consider his case for the post of EDBPM, Balisahi, which is lying vacant. As the Respondent No.4 has already joined the post of EDBPM, Ratapat, the prayer of the applicant in the O.A. for quashing Annexure-1 has become infructuous. As regards M.A., the applicant has worked as EDBPM, Ratapat for 17 years in the put off duty vacancy. The instructions of D.G. Posts dated 18.5.1979 lays down that efforts should be made to give alternative employment to E.D.Agents, who are appointed provisionally and subsequently discharged from service due to administrative reason if at the time of discharge their are put in not less than three years of service. It is submitted by the

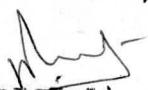
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learned counsel for the petitioner that the departmental authorities have already provided him with the post of E.D.D.A., Sagar and the petitioner is working in that post.

In consideration of submissions made by the learned counsel of both sides and taking into account the instructions of D.G.Posts, as referred to above, we direct that the name of the applicant should be kept in the waiting list and he should be offered appointment to the post of EDBPM as and when any vacancy ^{is} caused, _A in terms of the instructions of D.G.Posts, as above. The applicant has prayed for direction to respondents to consider his case for the post of EDBPM, Balisahi. But the learned counsel is not in a position to indicate if the selection process for the said post has been undertaken and if the applicant has applied for the said post intime. In consideration of this, it is not possible to issue any specific direction in respect of EDBPM, Balisahi except to state that in case selection process for the post of EDBPM, Balisahi is in the process and the applicant has applied for the said post in time then his case should be considered for that post.

With the above direction O.A. is disposed of.

No costs. M.A.804/01 is accordingly disposed of.

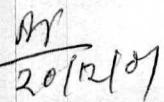

MEMBER (JUDICIAL)


VICE-CHAIRMAN

19/12/2001

Free copy of order
dt. 19/12/01 issued
to the Counsel for
both side.


S.O.


M.A.
20/12/01