

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

for admission
and final disposal

Bench

On. dt. 12.11.02

for admission &
final disposal.

Bench

On. dt. 25.11.02

for admission &
final disposal.

Bench

On Memo

M.A. 1/2003 for
consideration - copy
served.

Bench

(Copy of order
may be sent to
the court for before

Sc. I

14.1.05

Order dated 9.1.2003

Heard Shri M.R.Kar, learned counsel for the Applicant and Shri U.B.Mohapatra, learned Addl. Standing Counsel for the Respondents on M.A.1/03. While dealing with M.A.1/03, on the consent given by the learned counsels of both sides, O.A. is also taken up for hearing and final disposal.

Applicant, worked as E.D.B.P.M. of Bakugram Branch Post Office under Balanga S.O. from 15.2.1996 to 15.4.1996 and from 1.11.1996 to 1.12.1996, as is seen under Annexure-3 series. He also served the Branch Office as substitute EDBPM from 1.3.1997 to 31.8.1997, from 16.9.1997 to 2.10.1997 and from 16.11.1997 to 24.12.1997. Thus, he served the Postal Organisation for more than 180 days in one spell in one calendar year and also worked for a total period of 244 days in one calander year. He represented to the C.P.M.G., Orissa Circle, Bhubaneswar on 22.3.2001 seeking a regular employment as against a suitable vacancy. As it appears the CPMG has remitted the matter to Senior Superintendent of Post Offices at Bhubaneswar to pass necessary orders on the grievances/representation of the Applicant.

A counter has been filed by the wherein they have Respondents, substantially conceded, that once the Applicant offers his candidature as against a particular vacancy, his case shall receive due consideration.

By filing M.A.1/03, the Applicant has brought on record a fact that the post of EDBPM

5

at Bakugram Branch Post Office has now fallen vacant, due to retirement of the permanent incumbent, on 2.11.2001. It is the case of the Applicant that since he has got experience of discharging the duties of EDBPM in the said Bakugram Branch Post Office, his case needs preferential consideration for being posted/appointed against that post. It is the further case of the Applicant that presently the job of EDBPM, Bakugram Branch Post Office is being managed by the EDMC attached to that Branch Post Office and that the Department is taking steps to fill up the said post of EDBPM by making a temporary arrangement, pending regular selection to the post in question.

Having heard the learned counsels of both sides, the Respondents are directed to give due weightage to the experience gained by the applicant, in the matter of appointment to the post of EDBPM/EDDA and if the Respondents are taking steps to fill the post of EDBPM, Bakugram, temporarily, pending regular recruitment, then the Applicant should get a first preference in the matter of appointment of a temporary EDBPM of the Branch Post Office concerned, for he had gained experience in handling the charge of Bakugram B.O. as substitute. In that event, the applicant may be taken as a temporary EDBPM of Bakugram B.O. pending final recruitment to the post in question. While considering the case of the Applicant for being appointed as regular EDBPM of the Bakugram B.O. the authorities should give due consideration/weightage to the experience gained by the Applicant.

With the aforesaid observation and direction, this O.A. is disposed of. No costs.

M.A.1/03, with the disposal of this O.A.
is also disposed of accordingly.

Send copies of this order to Respondents and free copies of this order be also made available into the learned counsels of both sides.

~~MEMBER (JUDICIAL)~~

Copies of or. dated
2-1-03 sent to
all respondents. A
said copies of
or. handed over
to counsels for
both sides