

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Counter not  
filed.

*Patra* Regd.  
21/3/02

22.3.2002.

Ld. Counsel for the applicant  
is present. Sh. D.N. Mishra  
has filed *vakalatnama*  
for R-4 to pray for  
time to file counter.  
Hence time granted  
till 12.4.2002 for  
fill Counter. Other Respondent  
Counter. No steps  
are absent & no steps  
taken by them.

*22/3/2002*  
**REGISTRAR**

Counter not  
filed.

*Patra* Regd.

Dt. 12.4.2002

Ld. Counsel for the  
applicant is present. Ld.  
Standing Counsel for the  
R-4 prays for further time  
to file counter which has  
been objected by Ld. Counsel  
for the Applicant. However,  
time is granted as last  
chance till 22.4.2002 to  
file counter.

*22/4/2002*  
**REGISTRAR**

Order dated 17.9.2002

Heard Shri P.Jena, Advocate for the  
Applicant and Shri D.N.Mishra, Standing Counsel  
for the Respondents/Railways.

Applicant, who was initially engaged  
as a Casual Motor/Driver in the Railways was  
taken to regular Group D Establishment w.e.f.  
28.6.1993. By filing this Original Application,  
virtually, he has prayed for a direction to the  
Respondents to take him ~~to~~ Group C post <sup>as</sup> Grade-III  
Driver. The Advocate for the applicant has tried  
to make out a case by showing an order dated  
7.6.1990 that one Shri A.Satyanarayan, <sup>who</sup>  
was appointed with him as casual motor driver,  
has already been taken <sup>as</sup> Driver  
<sup>to</sup> Gr. III, and yet he  
(applicant) has not been taken as Driver, Gr.III;  
even though vacancies are available.

Existence of vacancies is not enough  
to seek a direction from the Tribunal for being  
absorbed. One has got only a right for being  
considered. In this view of the matter, we direct  
the respondents to consider the case of the  
applicant (Rajanikant Panda) for being taken to  
Group C post/Driver, Gr.III as against one of the  
vacant post in his turn.

With this observation and direction, this  
O.A. is disposed of without imposing any costs.

*17/9/2002*  
**VICE-CHAIRMAN**

*17/9/2002*  
**MEMBER (JUDICIAL)**