

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Counter not filed

h
28/6

Bench

for admission and hearing.

(Counter filed, copy served)

my
16/11/04

Bench

On. Th. 20.4.04

for admission & hearing.
(counter not filed)

h
22/4

Bench

For further hearing.
P/H.

Bench

h
19/5/04

Order dated 15.7.2004

Heard Shri P.K.Padhi, learned counsel for the applicant and Shri A.K.Bose, learned Senior Standing Counsel appearing on behalf of the Respondents and perused the materials placed on record.

Shri Kedar Nath Das (applicant) presently working as E.D.D.A.-cum-M.C. of Pangarsingh Branch Office has filed this O.A. ventilating his grievance that Res.No.2 (Senior Superintendent of Post Offices, Puri Division) had granted promotion to Res. No.3 (Shri Narasingh Sahu) in preference to him although he is senior to Res.No.3.

Having perused the materials available on record and having heard the submission of rival counsels, it reveals that the EDDAs aspiring for promotion to the grade of Postman are also to possess educational qualification as prescribed in the recruitment rules. Shri Bose disclosed that the applicant had passed only Class-VII standard. As qualification prescribed for the post of Postman is higher than what the applicant has, he could not be appointed/promoted to the grade of Postman. However, the applicant was considered for selection to the grade of Group-D by the DPC held on 7.11.2001. But as his seniority position was far below he could not come within the number of vacancies (1 vacancy was available to be filled) and therefore, the question of granting him promotion to Group-D did not arise. It is the further case of the Department that

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Copies of order prepared by Counsel for both sides.

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being senior to applicant, and having possessed the requisite qualification, Res.No.3 was rightly selected. These facts have not been controverted by the applicant.

Having regard to what has been discussed above, we see no merit in this O.A. which is accordingly dismissed. No costs.


VICE-CHAIRMAN


MEMBER (JUDICIAL)