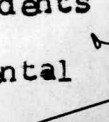


ORDER DATED 17-7-2002.

Heard Mr. Padhi, learned Counsel for the Applicant and Mr. A.K. Bose, learned Senior Standing Counsel appearing for the Respondents.

Following to the premature death of his father, the applicant sought for an employment on compassionate ground. As it appears, his case ~~was~~ received due consideration and he has been kept in waiting list to be provided with an employment on compassionate ground. It is the case of the Respondents that no sooner regular vacancy will be available ^{the Applicant} ~~he~~ will be provided with an employment in postal Assistant Cadre. To this Advocate for the Applicant states since that ^{a total} the sole bread earner of the family died prematurely, the family is in distress condition and unless an employment is provided to the applicant, urgently, the right of the entire family, as enshrined under Article 21 of the Constitution of India, would continue to be affected/violated. Looking to the anxiety of the applicant, as expressed through his counsel in court, learned Senior Standing Counsel states that some engagement in extra Departmental Organisation of the postal Deptt. has been offered to the applicant, which he need accept for the time being in order to mitigate the distress condition of the family and the Advocate for the Applicant states that once he accepts the post of EDAs, he will not be provided with any Departmental post when will be made available.


Having heard counsel for parties and having given anxious consideration to the problem in issue, the Respondents are directed to give an engagement, either in the Departmental



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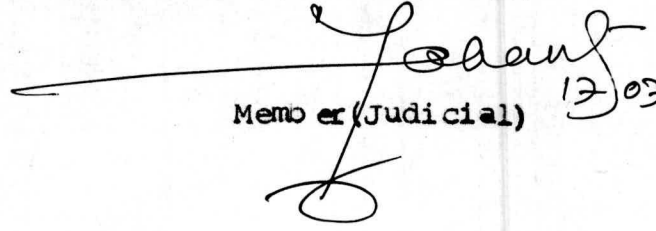
post or in the Extra Departmental Organisation, to the Applicant immediately within a period of sixty days and it is made clear that the applicant's name in the waiting list shall remain in force and nosooner a Departmental post is available, that should be provided to him.

With the above observations and directions, this Original Application is disposed of. No costs.


(MANORANJAN MOHANTY)
MEMBER (JUDICIAL) 17/07/2002

LATER - Dt. 17.7.2002.

Mr. Padhi, counsel for the applicant undertakes to furnish postal requisites for service of copies of this order on the Respondents by Regd. Post with AD. On furnishing the postal requisites free copies of this order be given to learned counsel for both sides.


Member (Judicial) 17/07/2002