

Order dated. 16.03.06.

On being mentioned by Mr.S. Pattnaik, Ld. Counsel appearing for the Applicant(made in presence of Mr. B. Mohapatra, Ld. Addl. Standing Counsel for the Union of India, on whom a copy of this O.A. has already been served) this matter is taken up.

2. Pursuant to an advertisement issued during August 1997, there were recruitment for the post of Fire Operators. It appears, the Applicant was a candidate and was selected for ^{being appointed as} Fire Operator. It has been alleged further that between 1998 and 2005 more than 50 persons have already been appointed as Fire Operators from out of the select list/panel ^{and that,} although his name was in the said panel, the Applicant has not yet been given the offer of appointment as Fire Operator. It has been alleged finally that rank outsiders(Respondent No.3 to 6) have already been given appointment as Fire Operators during January and February 2006; by ignoring the case of the Applicant. In the aforesaid premises, the Applicant submitted a representation on 08.02.06 and, no heed having been paid to his grievances, ~~The~~ Applicant has approached this Tribunal with the present O.A field under Section 19 of the Administrative Tribunal's Act 1985.

3. Heard Mr. S. Pattnaik, Ld. Counsel appearing for the Applicant and Mr. B. Moahapatra, Ld. Addl. Standing Counsel appearing for the Respondents and perused the materials placed on record.

4. The recruitment(that was initiated with issuance of advertisement during August 1997)being subject matter of the pending O.A. No.415/98, the Respondents, before proceeding to recruit outside persons-not in the

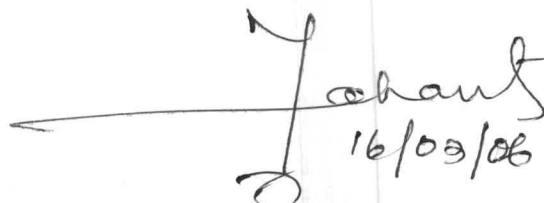
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recruitment process (that started with issuance of advertisement of August 1997) ought to have taken leave of this Tribunal. That having not been done there has already been a violation of the statutory provisions embodied in Administrative Tribunal's Act 1985.

5. However, since the representation dt.08.02.06 of the Applicant is stated to be still pending with the Respondents, without entering into the merits of the matter, this O.A. is hereby disposed of with a direction to the Respondents to consider the Grievances of the Applicant, pertaining to his recruitment raised in his representation under Annexure A/3 dt.08.02.06 and in this O.A. and pass necessary orders within a period of 30 days of receipt of copy of this order.

6. With the aforesaid observation and direction, this O.A. stands disposed of at admission stage.

7. Send copies of this order to the Respondents, along with copies of the O.A, and free copies of this order be given to the Counsels appearing for both the parties.


16/03/06
Member (Judicial)