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O.A.No.663/06

ORDER DATED: 19.09.2006

Heard Mr. D.K.Mohanty, Ld. Counsel for the Applicant and Mr. U.B.Mohapatra, Ld. Sr. Standing Counsel for the Respondents.

It is the grievance of the Applicant that he has been working as part time Sweeper-cum-Waterman in the Phulnakhra Sub Post Office with effect from 01.01.2001. Inspite of his working for a long time and inspite of the instructions of the Govt. of India in the matter of regularization of such part time casual workers no heed have been paid to the requests made by him. Hence this Original Application under Section 19 of the Administrative Tribunals Act 1985 praying for the following reliefs:

“To direct the Respondents for appointment of the Applicant against any of the existing GDS vacancies taking into consideration the experience gained by him.”

Heard Learned Counsel for both the parties and went through the materials placed on record.

As it appears, on 05.06.2003 in O.A.No.187/03, this Tribunal passed the following directions:

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“to consider the case of the Applicant for the post of G.D.S.D.A. as applied for by him. But while doing so, the Respondents should keep in mind that the Applicant has acquired some experience while working as Sweeper-cum-Waterman (as referred to above).”

From records, it appears that although, the Applicant represented for consideration of his case, advertisement against which the above orders were passed by this Tribunal was cancelled.

It is the case of the Applicant that as there are vacancies in the cadre of GDS and he has submitted a representation under Annexure-A/3 dated 09.01.2005 addressed to the Sub Divisional Inspector (Postal), Cuttack, West Sub-Division, Cuttack, no action has yet been taken.

In view of this, since the representation of the Applicant is still lying with the Respondents, this O.A. is disposed of with direction to take a final view on the request of the Applicant for his engagement against the vacancies, if exist, or will be available in future keeping in mind his experience, provided he applies.

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


MEMBER (ADMN.)