

NOTES OF THE

ORDERS OF THE TRIBUNAL

Or. N

Order dt. 26.02.08

Coram: Hon'ble Sh. M.R. Mohanty, Vice-Chairman
Hon'ble Sh. C.R. Mohapatra, Member

communicated to the petitioner & to all members of the Union of Health Court.

Hear Mr. L. Dash, Ld appearing for the Applicant and Mr. V.B. Mohapatra, Ld Sr. Stand Counsel for Union of Health Court.

For the reasons recorded separately this O.A. stands disposed of.

ON MEMO

MA 837/02 for appropriate orders
Copy sent
Counsel filed &
Copy of Counsel sent
for further orders

~~Member (A)~~ Vice-Chairman

Or. No 52 of 08

For Hearing

Or. No 26.12.08

Copy sent to counsel
order prepared
for counsel
for both sides

Signature

O.A. No. 423 of 2002

CORAM: Hon'ble Mr. M.R. Mohanty, Vice-Chairman
Hon'ble Mr. C.R. Mohapatra, Member (A)

Oral Order dated: 26.02.2008

Applicant, a candidate for the post of ED-Organization of Postal Department, challenged the recruitment process (on the ground that the recruiting authority, after calling for candidates from Employment Exchange, also called for candidates by open advertisement and that it was not insisted to recruit only the inhabitants of the Post Village) in the present case.

2. By filing Counter, the Respondent Department have explained that both the grounds of the Applicant are not sustainable.

3. Previously, while recruiting personnel for ED Post Offices, it was insisted that the person should be of the Post Village. ~~Now~~ It was found to be condition violative of Constitution of India. Therefore, rightly that is no more a ~~fact~~ condition for recruitment of ED/GDS personnel. It is only given out now, that upon selection, one must take a residence to Post Village. Thus, the first objection of the Applicant is over ruled.

4. Next ground of the Applicant is that the recruitment should have been done by consulting the Employment Exchange only; as per previous practice. But now it has rightly been decided, in terms of the views of the Hon'ble Apex Court, that public notice, simultaneously,

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should be issued. Thus, the second objection of the Applicant is hereby over ruled.

5. As a consequence, this O.A. is dismissed. No costs.


MEMBER (A)


26/02/08
VICE-CHAIRMAN