

# NOTES OF THE REGISTRY

# ORDERS OF THE TRIBUNAL

9.7.2003

Parties are absent on call. No steps taken for service of counter. Put up before the Bench for further orders.

REGISTRY

Copy of Counter has not been served for orders.

Bench

Or. dt. 4.8.03

Rejoinder not filed.

(D.B. matter)

Bench

Or. dt. 4.9.03

Rejoinder not filed.

For further orders.

Bench

Rejoinder not filed for further orders.

Bench.

Order dated 02.12.03

Division Bench matter.

Adjourned to 13.12.03

Vice-Chairman

ORDER DATED 23-12-2003.

None appears on behalf of the Applicant; nor the Applicant was present in person. Earlier also when this matter was listed for final hearing on 14.11.2003 none appeared for the Applicant. No rejoinder has also been filed in this matter. Therefore, this matter was called for final disposal on 2.12.2003 and finally for today when no one represented for the Applicant; nor any request for adjournment was made. However, Mr. S.B. Jena, learned Additional Standing Counsel was present.

The case of the Applicant is that he had submitted a representation to the Senior Superintendent of post offices, Bhubaneswar division for considering his case for recruitment to the post of PA/SA for the year 1997-1998 and 1999 but his request was turned down vide Annexure-9 by the said authority on the ground that the applicant having already promoted/appointed as Postman, he is not eligible for selection to PA cadre in accordance with the directorate's letter No. 44/10/84-SPB-I dated 26.8.1995. Aggrieved by this order he has approached

this Tribunal for quashing of the order/letter under Annexure-9 dated 26/27.8.2002 and for a direction to the Respondents to allow him to appear at the test for recruitment to the post of Postal Assistant, pursuant to the notification dated 6.8.1999 under Annexure-6.

We have heard Mr. S. B. Jena, learned Addl. Standing Counsel appearing for the Respondents and have also perused the letter of the Ministry of Communication, department of Posts dated 26.8.1985. By issuing this order, the Director General of Posts had ruled that w.e.f. 26.8.1985, all future recruitment test to the cadre of postman should be held first and after the result of postman cadre is declared the date for examination for Gr. D cadre should be announced and such a policy decision was taken only to ensure that in no case an GDS, who is appointed to any departmental post on a regular basis is allowed to appear thereafter in any other recruitment test meant for this category of staff. In view of this policy decision of the Respondent department and in view of the fact that the Applicant in this OA has already <sup>been</sup> appointed to the regular cadre of postman, we find no merit in this OA; which is accordingly dismissed. No costs

Vice-Chairman 23/12/03

Member (Judicial)