

O.A. No. 424 of 2008Order dated: 06.11.2008

CORAM:

Hon'ble Mr. Justice K.Thankappan, Member(J)
Hon'ble Mr. C.R.Mohapatra, Member (A)

The applicant claims that as he had worked as EDBPM for some time as a stopgap arrangement, he is entitled to get an appointment for the subsequent arising vacancy. The applicant had approached this Tribunal two times, prior to this O.A., by filing the O.A.Nos. 308/88 and 233/94. The first O.A. was disposed of by this Tribunal by observing as follows:

“...However, it was told to us by Mr. S.K.Nayak-1 that there is a vacancy in the Mugupur Branch Post Office within the district of Keonjhar. We wish to say that the Postmaster General and the Superintendent of Post Offices, Keonjhar division may take into consideration the case of the applicant who has long served the Department and try to adjust him either at Mugupur Branch Post Office or in any other Post Office in the vicinity. We would be very happy if the case of the applicant is considered and disposed of as soon as possible.”

The second O.A. was dismissed by this Tribunal on merit and on finding that the qualification for appointment to the post has been changed and the minimum qualification has been fixed as Matriculation. After the above orders of this Tribunal, now the applicant approached this Tribunal.

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2. After going through the entire averments of the O.A. and on hearing Mr. S.K.Nayak, Ld. Counsel appearing for the applicant and Mr. U.B.Mohapatra, Ld. Sr. Standing Counsel for the Respondents, we are of the view that there exists no law to help the applicant. The applicant was working only as a stopgap arrangement when the Postmaster was kept out of service due to some complaint made against him by the public and after sometime the incumbent came back to the post and hence the applicant was asked to go out of engagement and, that by itself is not a reason to give him any right to claim appointment at a subsequent point of time.

3. In the above circumstances, we see no merit in this Original Application, which stands dismissed accordingly.

Chap. 3
MEMBER (A)

Chap. 4
MEMBER (J)

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