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O.A. No. 678 of 2010

Narendra Kr. Parida & Ors.... Applicants
Vs
Union of India & Ors..... Respondents

Order dated: 04.11.2010

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (A)

Heard Sri S.Pattnaik, Ld. Counsel for the applicants and Sri U.B.Mohapatra, Ld. Sr. Standing Counsel appearing for the Respondents on notice, on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. Subject to making extra payments as per rule for joint prosecution, M.A. 750/10 filed for joint prosecution of the case is allowed. M.A. is accordingly disposed of.

3. Ld. Counsel for the applicants submits that the applicants have been working since 1984 and have been accorded temporary status from 2001 and they are still working in RMS 'N' Division, Bhubaneswar. He further submits that since there are about 70 vacant posts of Group-D, there is a move in the Department for getting the outsiders to fill up these posts. He cites the policies of the Department of Posts dated 12.04.1991 and 05.06.1991 as

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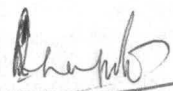
amended from time to time regarding rights of casual labourers to be considered for regularization. On a specific query, as to whether applicants have approached the concerned authority to redress their grievances for being considered against the vacant posts in terms of the policy letters cited above, Sri Pattnaik submitted that so far they have not made any such representation. He, however, prays that the applicants may be allowed to make representations individually to the concerned authorities to put forth their claim as urged in this O.A. and the applicants will be satisfied if a direction is given to Respondent Nos. 2 and 3 to consider their representations within a specific time frame and apprise them the outcome of such consideration in a reasoned order.

4. Having heard Ld. Counsel for the parties, the applicants may file representations individually within 7 days and, if such representations are filed, Respondent Nos. 2 and 3 are directed to consider the same and pass a reasoned order within 45 days of the receipt of such representations and till then no coercive action should be taken against the applicants.

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5. With the above observation and direction, without going into the merits of the case and as agreed to by the Ld. Counsel for the parties, the O.A. is disposed of at this admission stage.

6. Send copies of this order, along with copies of the O.A., to Respondent Nos. 2 and 3 at the cost of the applicant. Ld. Counsel for the applicant undertakes to deposit the postal requisites before the Registry in course of the day.


MEMBER (A)

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