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O.A. No. 139/09

ORDER DATED 9th APRIL, 2009

Coram:

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

Heard Mr. P.K. Padhi, Ld. Counsel for the applicant and Mr. S. Barik, Ld. Addl. Standing Counsel for the Respondents.

2. The applicant seeks relief from this Tribunal by way of quashing Annexure-A/3. The Department has issued a notification dated 24.03.09 for filling up of the post of GDS BPM and has prescribed certain eligibility criteria as well as the criteria for selection. The last date of receipt of application is 15.04.09. The applicant claims that having worked in that post for the last 05 years he is entitled to be considered for absorption against the advertised post. In support of this claim no Rule has been published and at the same time his representation dated 04.04.09 (Annexure-A/4) is pending with Respondent No.2. Since, notification has been issued by the competent authority for filling up of the said post, the applicant is also at liberty to apply for the said post in response to this notification. It would not be proper for this Tribunal to intervene and quash this notification.

3. In the above view of the matter, the Ld. Counsel for the applicant submits that he will be satisfied if a direction is issued to Respondent No.2 to consider the representation and

pass appropriate orders within a reasonable time. Accordingly, Respondent No.2 is directed to consider the pending representation at Annexure-A/4 and pass a reasoned order expeditiously at any rate within a period of 30 (thirty) days from the date of receipt of the copy of this order. Accordingly the Original Application is disposed of at the admission stage itself without expressing any opinion on the merit of the matter.

4. Send copies of this order along with copy of the O.A to Respondents for compliance & free copy of this order be given to Ld. Counsel for both sides.



Member (A)