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O.A. No. 128/2011

ORDER DATED 14<sup>th</sup> MARCH, 2011

Bhaskar Ch. Nanda ..... Applicant  
Vrs.

Union of India & Others ..... Respondents

Coram:

HON'BLE MR. C.R. MOHAPATRA, MEMBER ADMN.

&

HON'BLE MR. A.K. PATNAIK, MEMBER JUDL.

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

2. Sri Padhi, Ld. Counsel for the applicant submits that the applicant although has been working as Sweeper (Casual Labourer Part Time) since 29.11.1994, his services have not been regularized till date and therefore he has submitted an application dated 08.12.2010 (Annexure-A/3) to Sub-Divisional Inspector, Postal, Cuttack North sub-division. The said representation is pending for disposal. Having received no response, the applicant has approached this Tribunal by filing the present O.A. Since the representation of the applicant has been submitted about three months back, he prays to direct the Respondent No.2 to consider the pending representation of the applicant at Annexure-A/3 and pass a reasoned order regarding regular appointment, in terms of the decision in the case of K. Kamalamma Vs. SPO Postal Stores Depot. in O.A. No.608/90 decided on 25.04.91 by the Ernakulam Bench, Parameswaran Nair Vs. U.O.I represented by the D.G. Posts in O.A. No.853/90 decided

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on 06.06.91, M. Johan Rose & Other Vs. Head Record Office R.M.S. & Ors 1992 (20) ATC 869 and K.L. Luka Vs. CPMG Kerala Circle, 1992 A.T.J. 672.

3. Having regard to the submissions made and as agreed to by the Ld. Counsel for the parties, without going into the merit of the case ends of justice will be met by directing Respondent No.2 to consider the case of the applicant as per rules and various orders cited above and take decision on the pending representation at Annexure-A/3. Ordered accordingly. Respondent No.2 shall communicate the decision to the applicant within two months from the date of receipt of the copy of this order.

4. With the above observation and direction, this O.A. is disposed of at the admission stage itself. No costs.

5. Send a copy of this order along with copy of the O.A. to Respondents No.2 for compliance and free copies of this order be made over to the Ld. Counsel for the parties.

*W.L.*  
MEMBER JUDL.

*Champ*  
MEMBER ADMN.

K.B