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O.A. No. 203 of 2009

Order dated: 25.05.2009

CORAM:

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

Heard Mr. A.Kanungo, Ld. Counsel appearing for the applicant and Mr.S.K.Ojha, Ld. Standing Counsel for the Respondents, who appeared on notice.

2. M..A. filed for joint prosecution of the case is allowed.

3. The claim of the applicants is that since, they have been declared as surplus, their services have been utilized as Goods Guard; the post of Goods Guard is a promotional post and even if they are utilized as Goods Guard they are not being promoted nor they are getting the scale of pay meant for this higher post. The applicants' case is that since they are working in the promotional post, a special dispensation should be shown to them by way of relaxation of rules to the effect that they should not be asked to undergo the tough selection process. But, this is a question which can be sorted out by the respondents and no direction can be issued by this Tribunal enjoining upon the Respondents to relax the rules so as to promote/regularize the service of the applicants in the promotional post.

4. The applicants have not made any representation for seeking relaxation of rules to get the benefit of <sup>Promotion</sup> ~~relaxation~~/absorption in the promotional post. Ld. Counsel for the applicant submits that they will make a fresh representation to Respondent No.1 to consider their grievances and also see if sufficient grounds exist for

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relaxation of rules. In the light of the above, it is considered that the Respondent No.1 should look into the grievances of the applicants, if such a representation is made by the applicants within a period of two weeks, and outcome of the consideration should be communicated to the applicants through a reasoned order within a period of one month thereof.

5. With this observation, this O.A. is disposed of at the stage of admission.
6. A copy of this order, along with copy of the O.A. ~~is~~ sent to all the Respondents.

  
MEMBER (A)

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