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O.A. No. 585 of 2011

Ganeswar Tarai.....Applicant

Vs

Union of India & Ors.....Respondents

Order dated: 07.09.2011

CORAM:

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

&

Hon'ble Shri A. K. Patnaik, Member(Judl.)

Heard Mr. T.K.Mishra, Ld. Counsel for the applicant and Mr. S.Mishra, Ld. Additional Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served.

2. Applicant, who has been working on contractual basis since 01.11.2000 under STPI has filed this O.A. with the following prayers:

“(i).....to direct the respondent to regularize the service of the applicant from the date of initial appointment.

(ii).....to direct the respondents to sanction and disburse all the consequential benefits with effect from the date of initial appointment.”

3. It is the case of the applicant that although he has preferred a representation ventilating his grievance vide Annexure-A/8 dated 16.06.2011 to Respondent No.3, no heed has been paid till date and the same is still pending.

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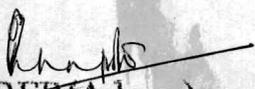
4. The contractual appointments do not come within the meaning of civil posts as defined under the Administrative Tribunals Act, 1985. However, having heard Ld. Counsel for the parties and as agreed to by them, without entering into the merits of the case, we direct Respondent No.3 to consider the pending representation as at Annexure-A/8 dated 16.06.2011 and pass a reasoned order within a period of 60 days from the date of receipt of a copy of this order.

5. With the above observation and direction, the O.A. stands disposed of.

6. Send copy of this order, along with copy of the O.A., to Respondent No. 3 at the cost of the applicant. Ld. Counsel for the applicant undertakes to deposit the postal requisites in course of the day.

7. Free copies of this order be given to the Ld. Counsel appearing for the parties.


MEMBER (Judl.)


MEMBER (Admn.)

RK

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O.A. No. 585 of 2011

✓ Order dated: 16.09.2011

CORAM:

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

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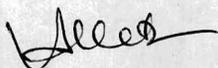
Hon'ble Shri A. K. Patnaik, Member(Judl.)

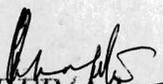
Heard Mr. T.K.Mishra, Ld. Counsel for the applicant and Mr. R.C.Swain, Ld. Additional Standing Counsel appearing for the Respondents.

M.A. 801/11 has been filed by the applicant, in this disposed of O.A., seeking modification of the order dated 07.09.2011 to the extent of addition "the applicant may not be disengaged till disposal of representation".

Ld. Counsel for the Respondents objected to the prayer of the applicant stating that in the disposed of O.A., M.A. cannot be allowed. Such modification of the order would amount to review of the order.

Having heard Ld. Counsel for the parties and in view of the order dated 07.09.2011, we are not inclined to entertain this M.A., which is accordingly dismissed as not maintainable.


MEMBER (Judl.)


MEMBER (Admn.)