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OA No. 387 of 2009

Sri G.Harihar .... Applicant  
Versus  
UOI & Ors. .... Respondents

1. Order dated 4<sup>th</sup> September, 2009.

C O R A M

THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (ADMN.)

Applicant, aged about 36 years stating to be residing in the Railway Colony of Rourkela in the District of Sundergarh has filed this Original Application under section 19 of the Administrative Tribunals Act, 1985 challenging his non-engagement taking into consideration his past casual engagement from 15.08.1995 to 18.12.1995, from 09.12.1995 to 20.04.1996 and then his active participation in the social work at Rourkela station from 03.09.2003 to 20.03.2004. Heard Mr. B.S.Tripathy, Learned Counsel for the Applicant and Mr. S.K.Ojha, Learned Standing Counsel for the Railway appearing on notice for the Respondents and perused the materials placed on record. Except the certificate granted by the Superintendent of Rourkela Railway station certifying that the applicant had actively participated in the patrolling in railway colony for some period, pulse polio immunization drive done in railway station and social

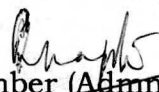
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work done at railway station, no document has been produced by the Applicant that he had ever been engaged in the railway as a casual worker. Participation in any of the social work undertaken by the Railway shall not accrue any right on a person to claim engagement or regularization in service when it is trite law that even working on casual or adhoc basis for a long time entitle one to claim regularization. In view of the above, I find no justifiable reason even to entertain this OA. However, it was contended by Learned Counsel for the Applicant that direction may be issued to the Respondents to consider the representation which would be submitted by the Applicant in this regard. In this connection it is recorded that no order is necessary directing the Respondents to consider the representation if submitted by the applicant; because the applicant has a right to make representation stating his grievance and the authority to whom such representation is made is under obligation to dispose of the same.

2. For the discussions made above, this Original Applicant stands dismissed at the admission stage.

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3. Send copies of this order along with OA to the Respondents.

  
Member (Admin.)

