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O.A. No. 462 of 2009

Order dated: 07.10.2009

CORAM:

Hon'ble Mr. Justice K. Thankappan, Member(J)

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

M.A. 436/09 filed by the two applicants to jointly prosecute this case is allowed.

2. The only prayer before us in this O.A. is to issue a direction to the Respondents to publish the result of the verification of the records of the applicants and similarly placed persons for regularization of service in the light of the judgment of the Hon'ble Apex Court.

3. We have heard Mr. Achintya Das, Ld. Counsel appearing for the applicants and Mr. S.K.Ojha, Ld. Standing Counsel appearing for and on behalf of the Respondents on notice.

4. Admittedly, the applicants were empanelled in the list for regularization depending on certain conditions prescribed by the Hon'ble Apex Court. The Respondent-Railways took certain preliminary steps, such as, verification of service record of the applicants and other similarly placed persons.



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5. Now the grievance projected in this O.A. is that though several verifications have been made from the date of the judgment of the Apex Court, the services of the applicants were not regularized. But there is no averment that any of their juniors has been regularized. However, it is stated in paragraph 4.8 of the O.A. as follows:

“again screening test was conducted through letters dated 02.04.2008, 24/25.04.2008 and dated 06.02.2009 so far as the Applicants and other similarly situated employees. They presented themselves in the screening test with all documents. Screening test was conducted and documents were verified. The applicants believe that they were found fit in the screening test. Documents produced by them were also found genuine. But the applicants were deprived of their right to know the result of the said test not to speak of the order of empanelment for regularization in Gr. D post till date.”

Reading of the above paragraph would show that the applicants were also directed to appear for verification of records or screening test, etc. and, the result of the same has ^{been} not published hither to as to whether the applicants were entitled for regularization or not.

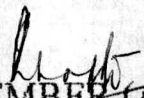
6. In the above circumstances, this O.A. can be disposed of by directing Respondent No.5, Chief

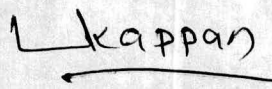


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Commercial Manager, E.Co.Railways, to publish the result of verification and screening test conducted on 02.04.2008, 24/25.4.2008 and 6.2.2009 at the earliest, at any rate, within 45 days from the date of receipt of a copy of this order.

7. The O.A. is accordingly disposed of at the stage of admission itself. No costs.


MEMBER (A)


MEMBER (J)

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