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OA No.645 of 2009

J.L.Narayan Patra Applicant
Versus
Union of India & Others Respondents

Order dated:- 26th February, 2010

C O R A M

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

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Heard Learned Counsel for both sides and perused the materials placed on record.

2. Short fact of the matter is that the applicant was appointed against a put off duty vacancy in the post of EDBPM GGPalli in account with Rambha SO on 7.3.1995. The regular incumbent, who was put off duty was reinstated and the applicant's service was terminated on 5.2.1998. Thereafter, the applicant submitted representation for his continuance and as it appears, the said representation of the applicant was rejected and communicated to the applicant in Annexure-A/3 dated 21.2.1998. Then he approached this Tribunal in OA no. 411 of 1999. In order dated 21.8.2000, this Tribunal disposed of the matter relevant portion of which reads as under:

"It is submitted by the petitioner that he has applied for those posts within the last date of receipt of application with necessary documentation which have not yet been filled up. In view of this it is ordered that in case the applicant has applied for these posts within the last date of receipt of applications and his application is complete in all respects and in case these posts have not been filled up then the candidature of the applicant should be taken into consideration strictly in accordance with rules. In case these posts have been filled up, then the respondents are directed to consider the candidature of the applicant in case he applied for any other ED post within the time with necessary documentation strictly in accordance with rules."

3. It is the case of the applicant, as it also appears from the record that through representation under Annexure-6 series the applicant requested

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consideration of his case. But nothing has been communicated to him by the Respondents till date.

4. In view of the above, since the representations made by the Applicant under Annexure-A/6 series are still pending, as agreed to by the Learned Counsel appearing for both sides, this Original Application is disposed of at this admission stage calling upon the Respondents to consider and dispose of the representations of the applicant under Annexure-A/6 in the light of the directions made in Annexure-A/4 and relevant portion is quoted above and communicate the result to the applicant within a period of sixty days.

5. Send copies of this order along with OA to the Respondent No.2 before whom the representations according to the Learned Counsel for the Applicant are pending for compliance.


(C.R.MOHAPATRA)
MEMBER (ADMN.)