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S.Rout-Vrs-UOI&Ors

P.H.Sl.No.4

OA No.163/12

**Order dated -19.5.2014.**

CORAM

THE HON'BLE MR.A.K.PATNAIK, MEMBER (JUDL.)  
THE HON'BLE MR. R.C. MISRA, MEMBER (ADMN.)

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In this Original Application the prayer of the applicant is for direction to the Respondents to give him appointment taking into consideration his working experience as Substitute in the post of GDSBPM Nachhipur BO in account with Khaira SO under Balasore HO. Respondents filed their counter opposing the prayer of the applicant.


2. Heard Mr.S.C.Panda, Learned Counsel for the Applicant and Mr.S.K.Patra, Learned Additional CGSC appearing for the Respondents and perused the records. Mr.Patra by placing reliance on the stand taken in the counter has submitted that there is no such provision that a substitute after working for a considerable period can be regularized in any GDS post as substitute works <sup>at</sup> the risk and responsibility of the permanent incumbent. Mr.Panda also does not show any


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such Rule or Law conferring any right on a substitute to claim such regularization. However, in the midst of the hearing Mr.Panda fairly submitted that in pursuance of the advertisement the applicant has applied for the post <sup>R</sup> of in question and <sup>a R</sup> direction may be issued to the Respondents to consider his case along with others as the process of selection has not been over and none has been appointed in the said post. Mr.Patra also confirms that selection process has not been over till date.

3. In view of the above, this OA is disposed of with direction to the Respondents that if applicant has already submitted his application in pursuance of the advertisement to the post in question then his case should also be considered along with others as per Rules. There shall be no order as to costs.

  
(R.C.MISRA)  
Member (Admn.)

  
(A.K.PATNAIK)  
Member (Judicial)