

ORDER DATED 18th OF JULY, 2012

Coram:

HON'BLE MR. C.R. MOHAPATRA, MEMBER ADMN.

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Heard Sri S.K. Samantray, Ld. Counsel appearing for the applicant and Sri T. Rath, Ld. Standing Counsel appearing on notice for the Respondents/Rlys. and perused the materials placed on record.

2. This Original Application has been filed by the applicant with the following prayer:-

“ (i) The applicant therefore prays that this Hon'ble Tribunal be graciously pleased to admit this Original Application and called for the records and after hearing the Counsels for both the parties allow this Original Application with a direction to the Respondent No.4 to give appointment to the applicant in one of Group-D vacant post as per advertisement under Annexure-3 after conducting medical test as well as in verifying his original documents.

(ii) And to pass such other appropriate order(s) or direction(s) in affording complete relief to the applicant.”

By way of interim relief he has sought a direction to the Respondents to keep at least one post of Junior Trackman or Helper-II under Group-D as reserved for the applicant and not to fill up the same without leave of this Tribunal till final disposal of this Original Application.

3. This O.A. has been filed without exhausting the available remedies. As a matter of fact there is no order impugned in this O.A. On being pointed out Sri Samantray, Ld. Counsel for the applicant submitted that he would withdraw this O.A. with a liberty to file representation before Respondent No.4. He has filed a Memo to the above effect today in the Court. Having considered the submissions and in view of the Memo filed by the Ld. Counsel for the applicant the present O.A. is dismissed as withdrawn. However, liberty is granted to file his representation before the appropriate authority, if so advised.


MEMBER ADMN.