

Central Administrative Tribunal, Principal Bench

O.A.No.2298/2002

New Delhi, this the 4th day of September, 2002

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. V.K. Majotra, Member (A)

Shri Nareshban Goswami S/o late Attiban Goswami,
Gramin Dak Sevak Delivery Agent (EDDA)
Agota via Gulaoti, Distt. Buland ShaharApplicant

(By Advocate: Shri D.P. Sharma)

Versus

1. Union of India
through Secretary,
Ministry of Communication,
Department of Posts,
New Delhi.
2. The Postmaster General
Agra Region, Agra
3. The Superintendent Post Office,
Buland Shahar Division, Buland Shahar
4. Shri Arun Kumar S/o late Ram Sevak
officiating Gramin Dak Sevak
Sub Postmaster (EDSPM) Agota
Distt. Buland Shahar
5. The Inspector Postoffice
Sub Division - North,
Buland ShaharRespondents

Order (Oral)

By Justice V.S. Aggarwal, Chairman

The grievance of the applicant is that he is senior to respondent no.4 (Arun Kumar) and respondent no.4 should not be allowed to work on provisional basis to the post of EDSPM.


2. As per the facts narrated, it is obvious that on 23.2.2001 Shri Arun Kumar had been given the provisional appointment to the said post. Subsequently, for certain reasons which are stated at the Bar to be disciplinary proceedings against Arun Kumar, the charge was given of the said post to the applicant. Admittedly, Arun Kumar has been reinstated and necessarily he has to be posted against the post from where he was removed. Keeping in view the fact

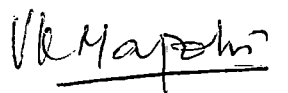


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that this is provisional appointment, the applicant at this stage cannot press into service his claim of seniority.

3. During the course of submissions, it was conceded that process for regular appointment is in progress. Name of the applicant is being considered. Once that is so, the present O.A. must be held to be devoid of merit. It is dismissed but it is made clear that nothing said herein should be taken as any expression on the merits of the case so far as regular appointment is concerned.


(V.S. Aggarwal)
Chairman


(V.K. Majotra)
Member(A)

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