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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

O. A. NO. 1170 of 2001

New Delhi, dated this the 1st JANUARY 2002

HON'BLE MR. S. R. ADIGE VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri Vijay Kumar Anand
R/o House No. 493
Sector VI, R.K. Puram
New Delhi-22. Applicant

(By Advocate: Shri R. K. Singh)

VERSUS

1. Union of India
Through the Secretary, Govt of India
Department of Post, Dak Tar Bhawan,
New Delhi.
2. Member (Personnel)
Ministry of Communication
Department of Post, Dak Tar Bhawan,
New Delhi.
3. Member (Development)
Ministry of Communication
Department of Post, Dak Tar Bhawan,
New Delhi.
4. Chief Post Master General
Delhi Circle, Department of Post
Meghdoot Bhawan, Jhandewalan,
New Delhi.
5. Shri P. Bhagawandas
Member (Development) (Retired)
Last Known Address: Ministry of Communication
Department of Post, Dak Tar Bhawan,
New Delhi. Respondents

(By Advocate Shri A. K. Bhardwaj)

ORDER

S.R. Adige, VC (A)

Applicant impugns respondents' order dated 29.12.2000 (Annexure A-1) and dated 2.3.2001 (Annexure A-2) and seeks a direction to restrain respondents from terminating his appointment and repatriating him to his parent cadre.

2. As per applicant's own averments in Para

4(1) of the O.A., Respondent No.4's office issued circular dated 20.6.2000 (Annexure A/7) for filling up one post of Sports Inspector (Rs.4500-7000) and as per Recruitment Rules the said post is required to be filled by transfer on deputation from amongst Delhi Postal Circle officials holding analogous posts or holding posts in the lower scale of Rs.4000-6000 in Group 'C' for atleast five years.

3. Applicant does not deny in any rejoinder, the specific averment of respondents in their reply to Para 5 (c) of the O.A. that as he was officiating in the higher scale of Rs.5000-8000/- ~~and~~ he was, therefore, not eligible for consideration for the post of Sports Inspector which is ⁱⁿ the lower scale of Rs.4500-7000 and, therefore, his selection as Sports Inspector was irregular and void as it was based on wrong criteria.

4. As the aforesaid specific averments of respondents remain unrebutted by applicant, the O.A. fails and is dismissed. Interim orders are vacated. No costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

Karthik

S.R. Adige
(S.R. Adige)
Vice Chairman (A)