

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

O.A. 1011/2001

New Delhi this the 1st day of March, 2002

Hon'ble Mr. S.R. Adige, Vice-Chairman (A)  
Hon'ble Mr. Shanker Raju, Member (J)

Naim Khan  
S/o Shri Sultan Ali  
Village Khurram PO-Jaora Via Mant  
Distt. Mathura (U.P.)

-Applicant

(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 Sr. Superintendent Post Offices  
Mathura Division, Mathura.
4. The Sub Divisional Inspector Post office  
North Sub-Division, Mathura.

-Respondents

(By Advocate: Shri N.S. Mehta)

ORDER (Oral)

Hon'ble Mr. S.R. Adige, VC(A)

Applicant impugns order dated 5.3.2001  
(Annexure A-1) and seeks a direction to respondents to  
allow him to work as EDDA Post office Gaju or, be given  
a regular appointment on any vacant post of an ED  
Agent.

2. Heard both sides.

3. One Shri Radhey Lal, EDDA Gajoo was dismissed  
from service vide respondents' order dated 1.1.2000,  
pursuant to which the aforesaid post fell vacant. The

applicant was appointed against the aforesaid post vide order dated 29.4.2000 (Annexure A-4) on purely provisional basis.

4. It is not denied that pursuant to the order of punishment of dismissal from service inflicted upon Shri Radhey Lal, subsequently being converted on appeal to one of removal, and then further modified in reversion to one of debarring him from appearing in the examination for recruitment to the post of Postman for 3 years, he had to be reinstated in service against the post which he held on substantive basis, resulting in the termination of applicant's services by impugned order dated 5.3.2001

5. Under the circumstances, the most that we can do for applicant at this stage, is to call upon respondents that if and when further vacancies of EDA or any other suitable equivalent post arises and applicant applies for the same, respondents should consider applicant's prayer sympathetically in accordance with rules and instructions on the subject.

6. The OA is disposed of accordingly. No costs.

S. Raju  
(Shanker Raju)  
Member (J)

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

cc.