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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.)

(By Advocate: Shri D.P. Sharma)

-Applicant

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.

(By Advocate: Shri N.S. Mehta) -Respondents

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 Gajoo 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

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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)

cc.

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