

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

DA No. 2829/99

New Delhi: Dated, this the /8 day of MAY, 2001

HON'BLE MR. S.R. ADIGE VICE CHAIRMAN (A).

HON'BLE DR. A. VEDAVALI, MEMBER (J)

Girdhari Lal,

S/o Sh. Raj Kumar,

R/o C/o Dr. Ishwar Prasad,

G-3/27, Main Road, Sunder Nagri,

Delhi-93

.....Applicant.

(By Advocate: Shri V.P.S. Bidhuri)

Versus

1. Union of India,
through its
Secretary,
Ministry of Communication,
Sanchar Bhawan,
New Delhi.

2. Post Master General,
Meghdoot Bhawan,
PMG Office,
New Delhi-1

3. Asstt. Superintendent of Post Office,
New Delhi West II Sub-Division N-1,
Estate,
New Delhi.

4. Ms. Deepika,
D/o Sh. R. Chand,
ED/SV Shivaji Park Post Office,
New Delhi-26

....Respondents

(By Advocate: Shri S.M. Arif)

ORDER

S.R. Adige, VC (A)

Applicant impugns respondents' order dated 30.9.99
(Annexure-A) appointing Ms. Deepika to work as Substitute
EDSV vice Shri Shobha Kant Rao, EDSV deputed as D/W
by terminating the earlier substitute arrangement. He seeks
reinstatement/regularisation.

2. Heard both sides.

3. Pleadings reveal that Shri Shobha Kant Rao
EDSV, on his deployment as daily wage postman in April,
1995 offered applicant as a Substitute, which was approved

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by the competent authority with clear undertaking that applicant could be discharged at any time without assigning any reason. Shri S.K.Rai's appointment as daily wage postman was on intermittent basis and during the period 1995-99 he was reverted to his original post of EDSV several times during which the substitute arrangement stood terminated.

4. Subsequently Shri Shobha Kant Rai by his letter dated 30.9.99 (Annexure-R III) withdrew the applicant's name as his substitute, and replaced it with the name of Ms. Deepika who was accordingly appointed to work as substitute EDSV .

5. Applicant has no enforceable legal right to compel respondent to retain him as substitute EDSV vice Shri Shobha Kant Rai. As the substitute is engaged on the trust and responsibility of the regular EDSV and as Shri Shobha Kant Rai by letter dated 30.9.99 has stated that Ms. Deepika would be his substitute, the OA warrants no interference and is dismissed. No costs.

A. Veda Valli
(DR. A. VEDAVALLI)
MEMBER (J)

S. R. Adige
(S. R. ADIGE)
VICE CHAIRMAN (A)

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