

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No. 2902 of 1997

(S)

New Delhi, dated this the 27th August, 1998

Shri Tripurari Upadhyay,  
S/o Shri Nar Singh Narain Upadhyay,  
R/o D-255, Mandawali, Fazilpur,  
Delhi-92. .... APPLICANT

(By Advocate: Shri P. Pandey)

Versus

1. Post Master General,  
Meghdoot Bhawan, New Delhi.
2. Asst. Supdt. of Post Offices,  
Krishna Bihar, New Delhi.
3. Post Master,  
P.O. Patparganj,  
Delhi-110091. .... RESPONDENTS

(By Advocate: Shri S.M. Arif)

ORDER (Oral)

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

Applicant impugns respondents order dated disengaging him as a substitute E.D. Agent and seeks adirection for appointment as an E.D. employee in Delhi against any vacancy in accordance with departmental instructions on the subject.

2. I have heard Shri Pandey for applicant and Shri Arif for respondents.

3. Applicant was provided as a Substitute E.D. Packer by Shri Dinesh Kumar, E.D. Packer w.e.f. 28.3.94 (Ann. R-2) consequent to Shri Dinesh Kumar's appointment as a postman. Upon the reversion of Shri Dinesh Kumar to the post of E.D. Packer in Sept. 95, applicant was disenaged.

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4. Applicant states that with a month of Dinesh Kumar's return as E.O. Packer he was appointed again as daily wage postman. It appears that this time, ~~Shri Kumar~~ <sup>provided</sup> ~~one~~ one Shri Manoj Yadav as Substitute E.O. Packer who is working in Dinesh Kumar's place.

5. Instructions regarding engagement of Substitute E.O. Agents are contained in the DG P&T's letter dated 7.12.72 (Ann. R-II), and as applicant was brought as Substitute E.O. Packer on the risk and responsibility of Dinesh Kumar, who subsequently returned to his post as E.O. Packer, applicant does not have any enforceable claim on the aforesaid post.

6. However, if and when respondents are considering engagement of <sup>regular</sup> ~~agents~~ <sup>employers</sup>, they should consider the claims of applicant having regard to the fact that he has already put in 1 1/2 years experience in this area of activity with the respondents. Such consideration should be in accordance with rules and instructions on the subject.

7. This O.A. stands disposed of accordingly.  
No costs.

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

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