

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 6th day of February 2001.

Original Application no. 1177 of 1996.

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman

Hon'ble Mr. M.P. Singh, Administrative Member

Jai Prakash Gupta,

S/o Sri B.P. Gupta,

R/o Village & Post Office Belwa Sahso,

Allahabad.

... Applicant

C/A Shri Pankaj Srivastava  
Shri A.K. Bajpayee  
Shri R. Malviya

Versus

1. Union of India through Secretary,  
Ministry of Telecommunications,  
Govt. of India, Sanchar Bhawan,  
New Delhi.
2. Chief Post Master General, Uttar Pradesh,  
Lucknow Circle, Lucknow.
3. Senior Superintendent of Post Offices,  
Allahabad.
4. S.D.I. Post Offices, Handia, Allahabad.

... Respondents

C/Rs. R.C. Joshi

...2/-



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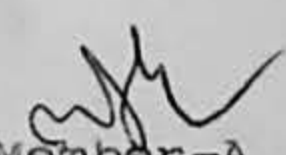
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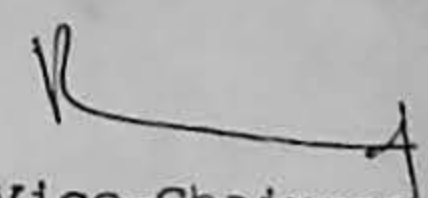
O R D E R (Oral)

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

It appears that the post of EDBPM of Post Office Belwa District Allahabad fell vacant on account of death of the father of the applicant. The brother of the applicant was given appointment on 07.02.1992 under dying in harness rules. After serving for two years, Shri Nand Prakash, brother of the applicant also died. After his death, the applicant was <sup>permitted</sup> ~~promoted~~ provisionally to work as EDBPM which was subject to approval of the Post Master General. After the death of Shri Nand Prakash, his widow Smt. Chitra Lekha was given appointment, who served for two <sup>months</sup> ~~years~~. Then the applicant was appointed by order dated 06.09.94, which was subject to approval of Chief Post Master General, U.P. Circle, Lucknow. Chief Post Master General vide order dated 23.2.96 disapproved the appointment of the applicant on the ground that the brother cannot be appointed on compassionate ground.

2. In our opinion the order does not suffer from any error of law. After the death of father, the brother of the applicant was given opportunity, he served for two years, then his widow was given opportunity. Under the provision, brother could not be given appointment as dependent. The order does not suffer any error of law. The OA is dismissed accordingly No order as to costs.

  
Member-A

  
Vice-Chairman

/pc/